

# CANADIAN PENAL INSTITUTIONS



*By* C. W. TOPPING









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CANADIAN PENAL  
INSTITUTIONS



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By C. W. TOPPING

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TO  
THOSE NOBLE DEAD  
WHOSE PASSING HAS CONVINCED ME  
THAT DEATH IS BY NO MEANS THE GREATEST OF EVILS  
TWO SOLDIER CHUMS  
MY MOTHER  
AND  
MY INFANT SON JACK  
THIS VOLUME IS DEDICATED WITH LOVE AND RESPECT.





## ACKNOWLEDGMENTS

This volume is based on research extending over a period of more than ten years and aims to be a description and evaluation of Canadian penal and reformatory institutions rather than of the whole Canadian system of justice.

The Department of Justice of the Canadian Dominion Government permitted the approaching of Department officers for information as did the various Provincial Governments. Superintendent W. S. Hughes, and Inspector H. G. V. Smith, of the Penitentiary Service, gave generously of their time for the discussion of points concerning which there was some uncertainty in the mind of the writer. Superintendent Hughes also permitted the fullest freedom both to the writer and to Dr. M. T. MacEachern on visits to penitentiaries. The wardens, too, merit thanks for their cordiality.

Dr. A. E. Lavell, Chief Probation Officer for Ontario, Mr. M. F. Gallagher, Chief of the Remission Branch of the Department of Justice, Mr. R. H. Coats, Dominion Statistician, and Commissioner Cortlandt Starnes, of the Royal Canadian Mounted Police, have been each and all very gracious.

Dr. R. E. Chaddock, Professor of Statistics, Columbia University, read various drafts of the manuscript critically and made suggestions that were very much appreciated. The writer's thanks are due him as they are due the other members of the Department of Sociology at Columbia who co-operated with him.

Dr. Allan C. Lemon, Dean of the College of Puget Sound, and Miss Marcia Edwards, Assistant Registrar, read critically parts of the final draft, as did Inspector H. G. V. Smith and Dr. A. E. Lavell parts of the first draft.

The volume appears as sponsored by the Canadian Prisoners' Welfare Association and with an appendix by the Associate Director of the American College of Surgeons.



## FOREWORD

"I cannot end this talk without emphasizing what I think is at this moment by far the most pressing of the social tasks in America, namely, the diminution of the distance between the ignorant and the intelligent; the diminution of the distance between the vicious and the just; and the diminution of the distance between the economically miserable and the economically opulent. More urgent than any other problem is the diminution of the distance between the vicious and the just. The problem of crime has become far more urgent than the problem of poverty, far more urgent than the problem of enlightenment."

Franklin Henry Giddings, LL.D., Professor of Sociology and History of Civilization, Columbia University. Address, September 26, 1911. Quoted, *Sixty-seventh Annual Report, Prison Association of New York*, p. 4.

Since it was not possible to publish in this small volume one tenth of the material gathered concerning Canadian penal institutions, nor to support in detail all statements made, it seemed wise to describe in a Foreword my personal relation to the study and my method of procedure, including authorities, sources, and objective instruments.

My intimate connection with Canadian penal institutions began in the year 1917 when, on being invalided out of military service, I was appointed keeper of the common jail located at Kingston, Canada. My interest in penal institutions has remained constant since 1917. Since 1924 I have been making a definite study of Canadian penal institutions in the preparation of this volume, crossing the continent during the period of research eight times and visiting a number of the institutions as many as three times. I spent seven days at Kingston penitentiary during the summer of 1925.

Permission to visit Canadian penitentiaries was obtained from the Dominion Superintendent of these institutions. Experience showed that the best method of procedure in the various Provinces was, on arrival within a Province, to obtain an interview with the minister in charge of penal institutions for that

Province, and armed with his authority to gain admission to institutions without advance notice to the persons in direct charge of them.

The personal visitation coupled with the personal interview was adopted as a method of procedure, because in the first place it was found difficult to gain an accurate impression of an institution from a printed Government report and, in the second place it was found that four of the nine Provinces issued no printed reports concerning their penal institutions.

The following printed reports were, however, found exceedingly helpful:<sup>1</sup>

*Criminal Statistics, Annual Reports of the Superintendent of Penitentiaries, Revised Statutes of Canada, Memorandum on the Royal Canadian Mounted Police, 1923, Penitentiaries Act with Amendments, 1920, Annual Reports, Commissioner Royal Canadian Mounted Police, Annual Reports, Department of Public Works, Alberta, Annual Reports, Department of Public Works, Saskatchewan, Annual Reports of the Inspector of Prisons and Public Charities on the Prisons and Reformatories of the Province of Ontario, Annual Reports of the Ontario Board of Parole and of the Commissioner of Extra-mural Employment for Ontario, Annual Reports of the Inspector of Prisons and Public Charities upon the Hospitals and Charitable Institutions of the Province of Ontario, Statistics of Penal Establishments, Quebec, Statistics of Benevolent Institutions, Quebec, The Canada Year Book, The Canadian Almanac.*

Great care was exercised in devising a method of research that would guarantee scientific accuracy both in the observing and in the recording of facts. A course in criminology was attended,<sup>2</sup> memberships in

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<sup>1</sup>See Bibliography for further details concerning these documents. See Bibliography, as well, for details concerning the following volumes and surveys: Lavell, A. E., *The Convicted Criminal and His Re-Establishment as a Citizen*; Jones, J. E., *Pioneer Crimes and Punishment in Toronto and the Home District*; Wines, E. C. and Dwight, T. W., *Report on the Prisons and Reformatories of the United States and Canada*; New York State, Crime Commission, *Special Report to the Commission on the Proceedings of the Commission in Canada*.

<sup>2</sup>At the University of Washington under Prof. R. D. McKenzie.

national societies were taken out,<sup>3</sup> a subscription was sent in to the official journal,<sup>4</sup> standard works on criminology were carefully studied,<sup>5</sup> a seminar in criminology was conducted,<sup>6</sup> and a preliminary study was completed.<sup>7</sup>

In the actual field work two objective instruments were used; namely, *The Georgia Questionnaire*,<sup>8</sup> and the *Handbook of American Prisons*.<sup>9</sup> The answers necessary under the headings to be found in each document were filled out in each institution at the time it was being surveyed. A sincere attempt was made to cross check my own observations as well as the answers of officials or other persons to questions asked them.

The ideal method of prison survey I consider to be that under which each member of a group of experts passes on that phase of prison equipment, organization and functioning which concerns his specialty. I should have liked to have taken with me on my trips across Canada an architect to pass judgment upon prison buildings, a physician to pass judgment upon medical organization and equipment, a whole group of technicians to pass judgment upon the work of blacksmith shops, carpenter shops, tailor shops, etc. This obviously would be very difficult to do, and I did not attempt it. I did, however, communicate with Dr. M. T. MacEachern, Associate Director of the American College of Surgeons,<sup>10</sup> requesting that he include Canadian penitentiary hospitals in his next tour of inspection. He was kind enough to do this. Appendix I of this volume gives

<sup>3</sup>The American Prison Association and the National Probation Association.

<sup>4</sup>*The Journal of the Institute of Criminal Law and Criminology*.

<sup>5</sup>Sutherland, Gillin and Robinson chiefly. See Bibliography.

<sup>6</sup>At the College of Puget Sound over a period of five years.

<sup>7</sup>A study with special reference to the Province of Ontario under the title of *Ontario Jail Theory in the Light of Kingston Jail Practice*. This study has not been published.

<sup>8</sup>Fifty copies of this document were purchased. It is put out by the State Department of Public Welfare, Georgia, and contains approximately one hundred specific questions concerning a penal institution.

<sup>9</sup>Issued by The National Society of Penal Information. The headings in the edition of 1925 were followed. See detailed description of Kingston Penitentiary below.

<sup>10</sup>The work of the American College of Surgeons in the standardization of hospitals in Canada and the United States is well known. See below, Appendix I.

findings and recommendations based on his survey of the hospital at Kingston penitentiary.

It is to be hoped that in the near future a careful study of a number of Canadian penal institutions will be made by a group of specialists in such activities as are found in these institutions. Meanwhile this monograph is given to the public as "a survey of a very large field, and one which has not previously, so far as I am aware, been brought together in one volume."<sup>11</sup>

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<sup>11</sup>Statement of Inspector H. G. V. Smith, Canadian Penitentiary Service, in a letter dated August 17, 1926.

# CONTENTS

CHAPTER I. BACKGROUNDS.....	3
A. HISTORIC RISE OF CANADIAN PENAL INSTITUTIONS.....	3
B. MODERN STANDARDS FOR THE TREATMENT OF INMATES OF PENAL INSTITUTIONS AS SET UP IN COUNTRIES OTHER THAN CANADA.....	8
1. Scientific Observation.   3. Scientific Reformation..	
2. Scientific Segregation.   4. Scientific After-care....	
C. PRESENT ORGANIZATION OF THE CANADIAN SYSTEM OF PENAL TREATMENT.....	17
CHAPTER II. THE PENITENTIARY BRANCH OF THE DEPARTMENT OF JUSTICE.....	23
A. ORGANIZATION AND ADMINISTRATION.....	23
B. THE POLICIES AND PROGRAMME OF THE PRESENT SUPERINTENDENT OF PENITENTIARIES.....	24
C. KINGSTON PENITENTIARY.....	33
1. Grounds and Plant.   2. Officials.   3. Inmates.	
4. Discipline.   5. Health.   6. Industries.   7. Edu-	
cation.   8. Religion.   9. Training in Citizenship.	
10. Cost.	
D. OTHER CANADIAN PENITENTIARIES.....	44
CHAPTER III. PROVINCIAL INSTITUTIONS FOR THE INCARCERATION AND TREATMENT OF LAW-BREAKERS.....	51
A. THE CANADIAN PROGRAMME FOR JUVENILES.....	51
1. As initiated by private groups.   2. As carried out in public institutions.	
B. PROVINCIAL INDUSTRIAL FARMS.....	56
1. A Functional Classification of Certain Institutions.	
2. The Guelph Reformatory: An Ontario Institution.	
3. Other Canadian Industrial Farms.	
C. LOCAL JAILS.....	63
1. The Jails West of Lake Superior.   2. Kingston Jail: An Eastern Jail.   3. Other Eastern Jails.	
CHAPTER IV. RETURNING CONVICTED PERSONS TO SOCIETY.....	71
A. RETURN PRIOR TO INCARCERATION.....	71
1. By the payment of a fine.   2. By reporting directly to the court.	

B. RETURN FOLLOWING INCARCERATION IN AN INSTITUTION	71
1. By expiration of sentence. 2. By expiration of sentence, less "good time." 3. By parole. 4. By extramural employment.	
CHAPTER V. SUMMARY AND CONCLUSIONS.....	83
A. THE PENITENTIARY BRANCH OF THE DEPARTMENT OF JUSTICE.....	83
B. PROVINCIAL INSTITUTIONS FOR THE INCARCERATION AND TREATMENT OF LAW-BREAKERS.....	88
C. RETURNING CONVICTED PERSONS TO SOCIETY.....	92
D. STRENGTH AND WEAKNESSES OF THE CANADIAN PENAL SYSTEM.....	93
APPENDIX I. THE CARE OF THE SICK IN CANADIAN PENAL INSTITUTIONS. By Malcolm T. MacEachern, M.D., C.M., D.Sc.....	95
APPENDIX II. CANADIAN PRISONERS' WELFARE ASSOCIATION.....	113
APPENDIX III. LIST OF CANADIAN INSTITUTIONS FOR JUVENILES.....	117
BIBLIOGRAPHY.....	119
INDEX.....	125



# CHAPTER I

## BACKGROUNDS

"In the same way that tuberculosis hospitals are being augmented with child health clinics, and even as the insane hospitals are being supplemented by bureaus of preventive mental hygiene, so in the near future will every penal institution be not only a place of punishment and reformation but a guide-post along the road toward united community effort for crime prevention.

"If this Congress can make a start in the promulgation of the idea that scientific penology is a protection to society, it will have performed a distinguished public service."

The Honourable Sanford Bates, Commissioner, Department of Correction, Massachusetts, Presidential Address, American Prison Congress, Pittsburgh, 1926.

# Canadian Penal Institutions

## CHAPTER I

### BACKGROUNDS

#### *A. THE HISTORIC RISE OF CANADIAN PENAL INSTITUTIONS*

The year 1867 has been chosen as a point of retrospect and of prospect because in that year the Canadian Dominion Government came into being and took over certain penal institutions that had been, up to that time, under Provincial control.

In 1854 a two-story granite structure, one hundred and eighty-one feet by thirty-six feet and containing eighty cells, was erected at Halifax, Nova Scotia. It has come to be called the "Rockhead Prison."

J. M. Ferris inspected this institution in 1867. He found it "filthy" and utterly lacking in discipline, the prisoners summoning the guards to their service by their first names and creating "rough-house" in the dining-room. The prison had a school, but the schoolmaster was indolent and made little effort to instruct<sup>1</sup> the inmates.

New Brunswick at the time of Confederation had an institution near St. John, surrounded by twenty-five acres of land, with machinery sufficient to keep eighty inmates busy in the manufacture of tubs, brooms and clothes-pins. There was neither school nor library, and the work of the chaplain was very adversely reported on by the inspectors:

"The duties of the chaplain appear to be very easily fulfilled. He gives his attendance every Sunday morning at half-past eight o'clock and holds service

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<sup>1</sup>*Sessional Papers, (40), 31 Vic., 1868. Report of the Prison Inspectors of the Prisons of Nova Scotia and New Brunswick, p. 8.*

until about nine. The convicts do not see him again until next Sunday unless he is especially sent for.”<sup>2</sup>

The Dominion Government in 1867 took over from the Province of Ontario an institution located at Kingston which included in its plant a shoe shop, a cabinet shop, a tailor shop, a foundry, a carpenter shop, a blacksmith shop, a stone-cutting shop, a quarry, and a farm. It had in addition an oakum shed and a woodyard. This institution had been first occupied on June 1, 1835, and was considered a very superior institution to the county jails which it augmented. Warden McDonnell writes:

“This extensive institution may be looked upon as protecting the community from the depredations of murderers, thieves, robbers, etc. I may also notice that previous to 1835 our gaols were occupied by wretches who were passing their time in idleness and sloth; and generally occupied in looking through the prison grating, and talking with persons attending the courts; as the court rooms were generally overhead, and the cell situated beneath, thus they had a good view of persons passing and repassing. This was the most miserable state of matters, as they passed their periods of imprisonment in indolence, etc., and it was not any punishment to this class of persons, particularly as liquor was frequently smuggled to them.”<sup>3</sup>

The Dominion Government evidently made good use of the equipment at the Kingston institution, for almost 300,000 man days were being worked by the year 1886. The income from all activities was approximately \$57,000 in this year to meet a gross expenditure of \$156,000.

But all aspects of the Kingston institution do not show up as well as does the economic. The school, according to the Roman Catholic chaplain, did not fulfil its mission. The institution had neither sewers nor baths, there were ninety cases of diarrhœa and one hundred and thirty-three cases of typhoid during the year, and both heating and ventilation, according to the

<sup>2</sup>*Ibid.*, p. 8.

<sup>3</sup>*Ibid.*, p. 135.

penitentiary physician, needed attention, the inmates being forced to go to bed fully dressed in winter in order to keep warm. Forty-one inmates were given 1,084 lashes, and Warden D. A. E. McDonnell comments as follows:

"I beg leave to remark that chastisement of some nature must be carried out, and even convicts will state that without the idea of the "cats" the discipline would fall away."<sup>4</sup>

The year 1911 marks another important transition in the history of Canadian penal institutions since it was in this year that the new penitentiary building at Prince Albert, Saskatchewan, was projected. This building is regarded as the finest in the Penitentiary Service, and was the first of a series of notable prison buildings that have since the year 1911 been erected in Canada. The institution at Prince Albert is still in process of being completed, but this is characteristic of Canadian prison plants and indicates breadth in conception rather than lethargy in the work of construction.

The contract for the great plant at Bordeaux, Quebec, was let in the year 1912, and it was expected that this prison would be completed at a cost of seven hundred and fifty thousand dollars. It cost approximately two million dollars to complete the structure. The building embodied the latest findings with regard to proper prison construction. It has the usual electric light, running water and clean bedding in the cells, but in harmony with the belief that sunlight should come directly into all areas where human beings live for any length of time, cells have been placed along side walls rather than in "blocks" up the centre of a large "dome wing" as in the penitentiaries. The institution has numerous other striking "modern" features such as clear vision of the whole cell area from a central bridge in the dome, an excellent hospital ward, and an electrically controlled locking-in system. The year 1912 also saw the renovation of the city jail at Winnipeg, Manitoba. This jail had been built in 1884, and in spite

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<sup>4</sup>*Ibid.*, p. 144.

of its "rebuilding" still retains features that have come down from a period of prison architecture in vogue much earlier than 1884.

The prison farm at Okalla, British Columbia, was likewise projected in 1912, although the splendid brick building to be found there was not erected until the year 1914. The institution at Fort Saskatchewan, Alberta, was likewise erected in 1914, the jail at Regina, Saskatchewan, having been erected the previous year. The jail at Dauphin, Manitoba, was erected in the year 1916.

No considerable prison plant has been erected in Canada since the year 1922, when the jail, so-called, at Prince Albert, Saskatchewan, was completed.<sup>5</sup> Since this institution is considered by certain competent judges of prison architecture to be the finest prison plant in Canada, it merits treatment in some detail. There is one main building which is four stories high and which consists of two long wings and a central dome. Cells are back to back up the centre of the wings, but since the windows are small sunlight does not penetrate into these cells except for a brief period each day. Apart from this lack of sufficient sunlight the building embodies many of the most modern features of prison architecture. The cells are modern in construction, the heating plant is automatically adjusting and keeps the temperature constant, a system of power ventilation keeps the air circulating. It is but necessary to visit any jail east of the Province of Saskatchewan in Canada to realize that here is a very superior jail building. I have listed the institution among the "industrial farms" because of certain superior features possessed by it, but do not consider its building in a class with the institution located at Bordeaux, Quebec, either as an artistic creation or as a unit with potential functioning power in the rehabilitation of its inmates.

There is little doubt that there has been an enormous improvement in every prison building erected

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<sup>5</sup>Note what has been said above concerning continuous building of a penal institution over a long period of years. I found building activity at each penitentiary visited and at a number of other institutions.

in Canada since 1911 over the buildings erected previous to that date. The penitentiaries show marked improvement in other features as well as in buildings.

Deputy Warden R. R. Tucker in 1922, in an unpublished report to the superintendent's office,<sup>6</sup> contrasts the Kingston penitentiary of that year with the same penitentiary as he was able to find it pictured in old reports and documents into which he delved. He states that at one time the contract system of employment was in vogue, that the insane were kept in the institution, that guards had no holidays, that children, eight years of age, were sentenced to Kingston penitentiary prior to 1877, that large numbers of inmates were employed on stone piles, that the cells were small, the library poor, the food unwholesome, and severe punishments common.

In 1922 the contract system has been long a thing of the past. Insane are transferred without difficulty to mental hospitals, guards have a holiday once in eight days,<sup>7</sup> few inmates are under twenty years of age, the stone pile has been abolished, the cells have been enlarged, the library is excellent, food is wholesome, and the deprivation of tobacco and of full meals are the chief punishments.<sup>8</sup>

Other developments that Deputy Tucker considers outstanding are: increased emphasis on vocational guidance and training, superior hospital facilities and treatment, the complete mastery of the vermin menace, improved heating and ventilation, improved bathing facilities, the changing of sheets and pillow slips weekly on cell beds, and the issuing to inmates of individual soap, tooth brush, nail brush, towel, carpet slippers, pyjamas and tobacco ration.<sup>9</sup>

Some extracts from the report of the Superintendent of Penitentiaries for the year 1926 will illustrate the fact that "renovation" is still the order of the day in the whole Canadian Penitentiary Service.

"At Kingston penitentiary the new sewage disposal

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<sup>6</sup>On file at Kingston penitentiary.

<sup>7</sup>Since July, 1926, one day in seven is allowed as a rest day.

<sup>8</sup>Deprivation of "remission" would have to be included in any list of punishments.

<sup>9</sup>Report to superintendent. See note 6.

plant has been completed. Work has been begun on the new female prison. . . . The interior of the prison yard has been wonderfully improved. . . . The remodelling of the old boiler house and binder twine factory, which will now be used for blacksmith and carpenter shops, is about completed; in fact, the greater portion of the institution buildings have been repaired, painted and renovated.

"At St. Vincent de Paul penitentiary . . . the new laundry, bathroom, changing room and inmates' barber shop have been finished. . . . One thousand five hundred feet of duct have been built through rock excavation within the prison in connection with new sewage disposal . . .

"At Dorchester penitentiary . . . the new hospital has been completed and fully equipped. A number of visitors from foreign countries, who have inspected this hospital, pronounce it as in a class by itself as compared with all other prison hospitals they have seen. The beautiful school room and concert hall, large, well lighted and well ventilated, and which accommodates six classes each day at one and the same time without any interference one with the other, has also been completed and is in daily use. . . ."<sup>10</sup>

Relatively similar activities are reported for the penitentiaries located in Manitoba, Saskatchewan and British Columbia.

## ***B. MODERN STANDARDS FOR THE TREATMENT OF INMATES OF PENAL INSTITUTIONS AS SET UP IN COUNTRIES OTHER THAN CANADA***

The tracing of the historic rise of Canadian penal institutions has made plain the fact that there has been a progressive development in Canadian penal practices between the years 1867 and 1927. Any final evaluation of the Canadian system of penal administration must, however, be made upon the basis of standards set up in countries other than Canada.

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<sup>10</sup>*Report of The Superintendent of Penitentiaries, 1926, pp. 9 and 10.*



Standards, at least in England and in the United States, should not be difficult to determine since a number of carefully written volumes on the subject of prisons and prison standards have, in recent years, appeared in each of these countries.<sup>11</sup> An international literature on the subject has, in fact, under the influence of the International Prison Congress, come into being and has been made available for the general public.<sup>12</sup> Penal standards as set up in England, in the United States, and by resolution of the various international Prison Congresses, will, therefore, be set down clearly in this first chapter so that, in a final chapter, the penal institutions of Canada may be evaluated in the light of the best penal practice throughout the world.<sup>13</sup>

In accounting for the decrease in the prison population of England, which had fallen from over 30,000 in 1878 to less than 11,000 in 1925, Sir William Joynson-Hicks, the Home Secretary, speaking at the Ninth International Prison Congress in London, said:

"Among the more general causes may be mentioned the more law-abiding habits of the general population due to better education, increased sobriety, and general improvement in the standards and conditions of living. Among special causes the chief is undoubtedly the laws passed by Parliament, providing new alternatives to imprisonment, such as the probation system; or increased facilities for the use of those which previously existed, such as time for the payment of fines. With these must be mentioned the care which

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<sup>11</sup>See, for England, Ruggles-Brise, Sir E., *The English Prison System*. The Macmillan Co., 1921; Hobhouse, S., and Brockway, A. F., *English Prisons To-day*, Longmans, 1922; Webb, Sidney and Beatrice, *English Prisons under Local Government*, Longmans, 1922; for the United States, Parmelee, Maurice, *Criminology*, Macmillan, 1918; Sutherland, E. H., *Criminology*, Philadelphia, 1924; Gillin, J. L., *Criminology and Penology*, Century, 1926; Robinson, L. N., *Penology in the United States*, Winston, 1922; Queen, S. A., *The Passing of the County Jail*, Banta, 1920, and Barnes, H. E., *The Repression of Crime*, Doran, 1926. *The Annual Proceedings of the American Prison Congress* should also be consulted.

<sup>12</sup>See Ruggles-Brise, Sir E., *Prison Reform at Home and Abroad*, London, 1924; and Butler, Amos W., "The Ninth International Prison Congress," *Journal of the American Institute of Criminal Law and Criminology*, XVI, No. 4, February, 1926, pp. 602-609. *The Modern Criminal Science Series* contains outstanding foreign volumes in creditable translations.

<sup>13</sup>Chapter Five.

is taken by judges and magistrates to make the greatest possible use of these alternatives; and their tendency, where imprisonment has become inevitable, to pass shorter sentences than heretofore."<sup>14</sup>

Relatively similar substitutes for incarceration have been developed in other parts of the world, which could be described in detail and at length.<sup>15</sup> This volume, however, is concerned with the treatment accorded persons incarcerated in penal and reformative institutions, so that any detailed description of the activities of legislatures, police officers, and court officials would be out of place.

A careful study<sup>16</sup> of the standards set up in countries other than Canada, for the treatment of law-breakers during incarceration and during the period immediately following incarceration, yields the following broad principles in the light of which Canadian penal institutions will be judged:<sup>17</sup>

1. Law-breakers, immediately on sentence to a penal institution, should be placed under the observation of scientists.

2. Law-breakers, on sentence to a penal institution, should be segregated according to kind on the basis of known facts.

3. Law-breakers, after segregation in penal institutions on the basis of known facts, should be so treated that society will be protected from them, both immediately and ultimately.

4. Law-breakers who have been incarcerated within a penal institution, should, on release from such institution, be given after-care.

1. SCIENTIFIC OBSERVATION. The scientists commonly advocated as observers of incarcerated law-breakers are physicians, psychiatrists, psychologists,

<sup>14</sup>Quoted in the *Proceedings of the Fifty-sixth American Prison Congress*, Pittsburgh, 1926, p. 7.

<sup>15</sup>Some of the matters which might be dealt with in detail are: admonition, floating, transportation, the fine, restitution, infamy, flogging, probation, death, and permanent segregation. See such authors as Gillin, Sutherland, Robinson, Parmelee, Queen, Wines, Butler, Barnes, Ruggles-Brise, Webb, Hobhouse, and Brockway in their works cited below for an authoritative and careful treatment of these themes.

<sup>16</sup>Both the reading of authoritative books and field work in actual institutions were included in the "careful study."

<sup>17</sup>See especially chapter five.

and social workers.<sup>18</sup> The scientists most commonly found are physicians, but representatives of the other three professions have been attached to the staffs of a number of institutions,<sup>19</sup> and the value of such services as they can render is being appreciated more than was formerly the case by penal administrators.

The International Prison Congress went on record in 1925 as favouring "laboratories" and "clinch . . . for the scientific study of criminals."<sup>20</sup> The English prison system has included for a considerable period not only a medical officer for each penal institution,<sup>21</sup> but also a medical officer who serves as inspector of medical services. More writing has been done in the United States<sup>22</sup> than in any other country on the subject of the scientific observation of anti-social persons; and it is in the United States, likewise, that the best clinics are to be found.<sup>23</sup>

Neither a summarization of this literature nor a detailed description of these clinics is within the scope of the task which I have set myself. I shall, therefore, conclude the discussion of this principle with a quotation which sums up, in the form of a description of a standard diagnostic clinic, the findings of representative scholars and administrators.

"In the receiving station the offender would receive a medical and psychological or psychiatric examination. He would then pass through the hands of an identification expert. Social field workers would seek to learn his personal and family history—education, occupation, sicknesses, hereditary defects, etc. These facts would be added to those supplied by the court to make up a case record."<sup>24</sup>

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<sup>18</sup>Robinson, *op. cit.*, pp. 133-135; Ruggles-Brise, *English Prison System*, pp. 185-197; White, W. A., "Psychiatry as an element in Protective Penology," *Proceedings American Prison Congress*, New York, 1926.

<sup>19</sup>See Sutherland, *op. cit.*, p. 607, for New York State practice.

<sup>20</sup>Butler, A. W., "Ninth International Prison Congress," *Journal of Criminal Law and Criminology*, XVI, No. 4, February, 1926, p. 606.

<sup>21</sup>Ruggles-Brise, *op. cit.*, p. 185.

<sup>22</sup>Editorial, *Journal of Criminal Law and Criminology*, XV, No. 2, August, 1924, p. 174.

<sup>23</sup>Glueck, S. S., *Journal of Criminal Law and Criminology*, XIV, No. 4, February, 1924, p. 573.

<sup>24</sup>Queen, S. A., *op. cit.*, pp. 136-137; see also Parmelee, *op. cit.*, p. 444; Barnes, *op. cit.*, pp. 375-376.

2. SCIENTIFIC SEGREGATION. A resolution passed by the delegates assembled at the Ninth International Prison Congress leaves no doubt as to where the members of that body stand with regard to the segregation according to kind of incarcerated law-breakers. The resolution was as follows:

"The prevention of the contamination of the less criminal prisoner by those more experienced in crime is one of the first essentials in prison treatment.

"After the necessary divisions according to age and sex have been made, and the mental status of the prisoner has been taken into account, classification should be according to character and ability to be reformed of each prisoner.

"The various classifications of prisoners should be located separately and, where possible, in different buildings on the same ground under one administrative head."<sup>25</sup>

This strong resolution could be supported by the findings and conclusions of other groups, since the trend of authoritative opinion is toward the acceptance of the principle of segregation as standard practice in a modern system of penal administration.<sup>26</sup>

3. SCIENTIFIC REFORMATION. Reformation as such is not the primary objective of modern programmes of penal treatment. The primary objective is the protection of society;<sup>27</sup> but, to the modern student of penal practices, the ultimate protection of society rests in the killing off of all anti-social persons, or in their permanent segregation from their fellows, or in their reformation into law-abiding citizens, or in all three of these combined into a carefully worked out programme of societal self-defence.<sup>28</sup>

<sup>25</sup>Butler, A. W., *Journal of Criminal Law and Criminology*, XVI, No. 4, February, 1926, p. 606.

<sup>26</sup>See also *Report, Forty-Fifth Annual Meeting, American Bar Association*, San Francisco, 1922; Hobhouse and Brockway, *op. cit.*, pp. 15-41; Rubinow, I. M., "Suggestions on Crime Statistics," *American Academy of Political and Social Science, Annals*, CXXV, No. 214, May, 1926, p. 137; Lewis, O. F., *Annual Report New York Prison Association*, New York, 1911, p. 155; La Du, Mrs. Blanche, *American Prison Association Proceedings*, New York, 1926, p. 204; Barnes, *op. cit.*, pp. 375-376; Webb, *op. cit.*, pp. 250-251, etc.

<sup>27</sup>Gillin, *op. cit.*, pp. 344-345.

<sup>28</sup>Barnes, *op. cit.*, pp. 180-186; pp. 369-377; Sutherland, *op. cit.*, pp. 590-633; Parmelee, *op. cit.*, pp. 441-449; Gillin, *op. cit.*, pp. 851-858.

Such theories of societal protection demand two distinct types of penal institutions: those in which hopelessly anti-social persons are permanently segregated; and those in which more hopeful cases are confined with a view to their ultimate return to society as free citizens. Canadian penal institutions are held, by those in charge of them, to be of this second class. The setting up of standards for this second type of institution must, therefore, be my chief concern in this section.

Institutions for the reformation of inmates rather than institutions for the segregation of inmates have been the chief concern, likewise, of those associated with the International Prison Movement. The outstanding authority on the movement states:

"It is the idea of punishment as a means of reformation which has now for more than a century so powerfully affected the thought and practice of the civilized world, and the question of the adjustment of the machinery of repression to this end is the subject-matter of the modern Penitentiary Congress."<sup>29</sup>

Scholars and administrators in England and in the United States have also concerned themselves in their thinking and writing with the reformatory type of prison. There has come to be general agreement that the effectiveness or the ineffectiveness of the reformatory programme of a penal institution is dependent upon the adequacy or the inadequacy of four variables; namely, staff,<sup>30</sup> programme<sup>31</sup> (including both objectives and content), equipment,<sup>32</sup> and inspection<sup>33</sup> (including supervision, audit, and a scientific check-up on the results of policies and programmes.)

What, then, are some of the standards which have been set up for the personnel of a modernized prison

<sup>29</sup>Ruggles-Brise, *Prison Reform*, p. 11.

<sup>30</sup>La Du, *American Prison Association Proceedings*, New York, 1926, p. 213; Gillin, *op. cit.*, pp. 474-529; Robinson, *op. cit.*, pp. 317-318.

<sup>31</sup>Hart, H. H., "The New Penology," *Proceedings American Prison Association*, New York, 1927, pp. 116-127; Gillin, *op. cit.*, pp. 474-529; Sutherland, *op. cit.*, pp. 599-615.

<sup>32</sup>National Society of Penal Information, *Handbook of American Prisons*, Putnam, 1925; Ruggles-Brise, *Prison Reform*, p. 13.

<sup>33</sup>Robinson, *op. cit.*, p. 284; 301-304; Ruggles-Brise, *Prison Reform*, p. 194.

which the staffs of Canadian penal institutions must meet?

It is difficult to set down exact standards for penal administrators on account of the variety of traits possessed by persons who, in the past, have made good administrators.<sup>34</sup> Gillin states:

"Wherever prisons have been a success it has been because of extraordinary men at the head of them."<sup>35</sup> He considers a fine sense of justice, business and executive ability, resourcefulness, a thorough understanding of criminal psychology and faith in the reformability of a part, at least, of the criminal population, to be desirable traits in a warden.<sup>36</sup> Robinson feels that this official should be a man possessed of the same traits as are commonly found in the president of a college or the head of an important industrial concern.<sup>37</sup>

There is more general agreement on standard programmes than there is upon the traits which should be possessed by the "ideal" prison official. The programme for adolescents enunciated at the International Prison Congress held at Budapest in 1905 may be set down as representative of a modern programme for both adolescents and adults.<sup>38</sup>

"Prisoners must be kept constantly occupied, and in full exercise of their faculties except during meals and hours set apart for rest.

"They should be taught a trade likely to be useful on discharge.

"Work in the open air—farming, gardening and vine culture—is to be commended.

"Education, secular and religious, will be compulsory; lessons of patriotism and of moral conduct will be impressed.

"Gymnastic and military drill should be a great part of the system."<sup>39</sup>

<sup>34</sup>Gillin, *op. cit.*, pp. 523-524; Robinson, *op. cit.*, pp. 304-305.

<sup>35</sup>Gillin, *loc. cit.*

<sup>36</sup>*Ibid.*

<sup>37</sup>Robinson, *op. cit.*, pp. 317-326.

<sup>38</sup>Ruggles-Brise, *Prison Reform*, p. 9; Hart, *Proceedings American Prison Association*, New York, 1927, p. 121.

<sup>39</sup>Ruggles-Brise, *op. cit.*, pp. 127-128.

There is general agreement, likewise, as to standard equipment. Sir Evelyn Ruggles-Brise, in outlining the position of the International Prison Congress, states:

"All are agreed as to the necessity of good buildings, good cells, good workshops, good sanitary arrangements . . ."<sup>40</sup>

There are two standard methods of penal inspection; the public method, which requires a body of trained Government inspectors, and the private method, which makes use of private persons competent to conduct a disinterested survey. In Europe, where statistics concerning crime are relatively complete and where penal systems are commonly under centralized control, standards for inspection have been worked out by the public authorities with some exactitude.<sup>41</sup> Surveys by disinterested persons have, however, been almost entirely lacking in Europe, and where they have been undertaken, have been seriously handicapped by official obstructionism.<sup>42</sup> In the United States, on the other hand, where crime statistics have never been adequate<sup>43</sup> and where state, county, and city rights have been matters of controversy, uniform and exact methods of checking up "results" have seldom been achieved by Federal and State authorities.<sup>44</sup> Detailed surveys<sup>45</sup> of small areas in the United States have, however, been made by scientists of repute, and the findings of these scientists have been given respectful consideration not only by scholars but by administrators as well.<sup>46</sup>

Both that type of inspection which has become highly developed in Europe and that which has become

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<sup>40</sup>Ruggles-Brise, *op. cit.*, p. 13.

<sup>41</sup>Ruggles-Brise, *op. cit.*, p. 194; Hobhouse and Brockway, *op. cit.*, Index under "Inspection."

<sup>42</sup>See Hobhouse and Brockway, *op. cit.*, pp. vi-vii.

<sup>43</sup>Hoffman, F. L., *Annals American Academy of Political and Social Science*, CXXV, No. 214, May, 1926, p. 20.

<sup>44</sup>See Fishman, J. F., *Crucibles of Crime*, New York, 1923. Note the powerlessness of the Federal inspector to do anything about abominable conditions.

<sup>45</sup>Cleveland, Missouri, New York, New Jersey, Illinois. See Bibliography.

<sup>46</sup>See *The Workings of the Indeterminate-Sentence Law and the Parole System in Illinois*, Parole Board, Chicago, 1923. This is an independent survey sponsored by a State Department.

highly developed in the United States should be recognized as standard practice in the "auditing" of the results achieved by the Canadian system of penal administration.

4. SCIENTIFIC AFTER-CARE. Since the ultimate test of a penal institution is the number of "graduates" who become and who remain over a period of time law-abiding citizens,<sup>47</sup> some system of check-up on prisoners after release is necessary. Experience in Europe<sup>48</sup> and in the United States<sup>49</sup> has shown clearly that where this supervision has taken the form of friendly oversight and direction, the percentage of discharged inmates who became law-abiding citizens was greater than where it took the form of a mere check-up.

Authorities, therefore, in spite of certain criticism which they have made of the administration of "patronage"<sup>50</sup> and "parole" laws<sup>51</sup> have been found to be favorably disposed towards the setting up of standards for after-care as a part of a modern programme of penal treatment. Dr. Clair Wilcox, after a thorough study of the working of parole in the United States, comes out strongly for "good parole" as "the best method of release that has yet been devised."<sup>52</sup> Dr. Ernest W. Burgess, as a member of the committee which studied parole and the indeterminate sentence in Illinois, endorses the recommendation that "the system of indeterminate sentence and parole be continued in Illinois."<sup>53</sup>

The literature concerning after-care is of considerable proportions, and it would be a simple matter to support the point of view exhibited by the sources drawn upon with extended quotations from other authorities.<sup>54</sup> This is not necessary. The following

<sup>47</sup>*Ibid.*, p. 12.

<sup>48</sup>Ruggles-Brise, *English Prison System*, pp. xvii-xviii; Hobhouse and Brockway, *op. cit.*, pp. 467-474; Webb, *op. cit.*, pp. 242-243.

<sup>49</sup>Pennsylvania, *Report Parole Commission, 1927*, Part II, Philadelphia, 1927.

<sup>50</sup>Ruggles-Brise, *op. cit.*, p. xviii.

<sup>51</sup>Barnes, *op. cit.*, p. 377.

<sup>52</sup>Wilcox, Clair, Address, National Crime Commission Conference, *Journal of Criminal Law and Criminology*, XVIII, No. 4, February, 1928, p. 505.

<sup>53</sup>Illinois Parole Board, *op. cit.*, p. 255.

<sup>54</sup>Robinson, *op. cit.*, pp. 217-241; Sutherland, *op. cit.*, pp. 523-558; Queen, *op. cit.*, pp. 21-22.



statement of Professor J. L. Gillin is, however, cited as a summary of the discussions on penal principles and penal standards.

"So far the findings of modern psychology and sociology have had very little application in the campaign against crime. In short, the limited success of society in its struggle with criminals is due to the use of antiquated methods founded upon an unscientific basis.

"Whatever is to take the place of the current strategy and tactics in the war on crime must take account of all that has been learned touching the causal factors of criminality and the technique of developing or altering human personality. Recent advances in science have thrown upon human nature a light never before available. In any programme of penal treatment this knowledge must be brought into play."<sup>55</sup>

### C. PRESENT ORGANIZATION OF THE CANADIAN SYSTEM OF PENAL TREATMENT

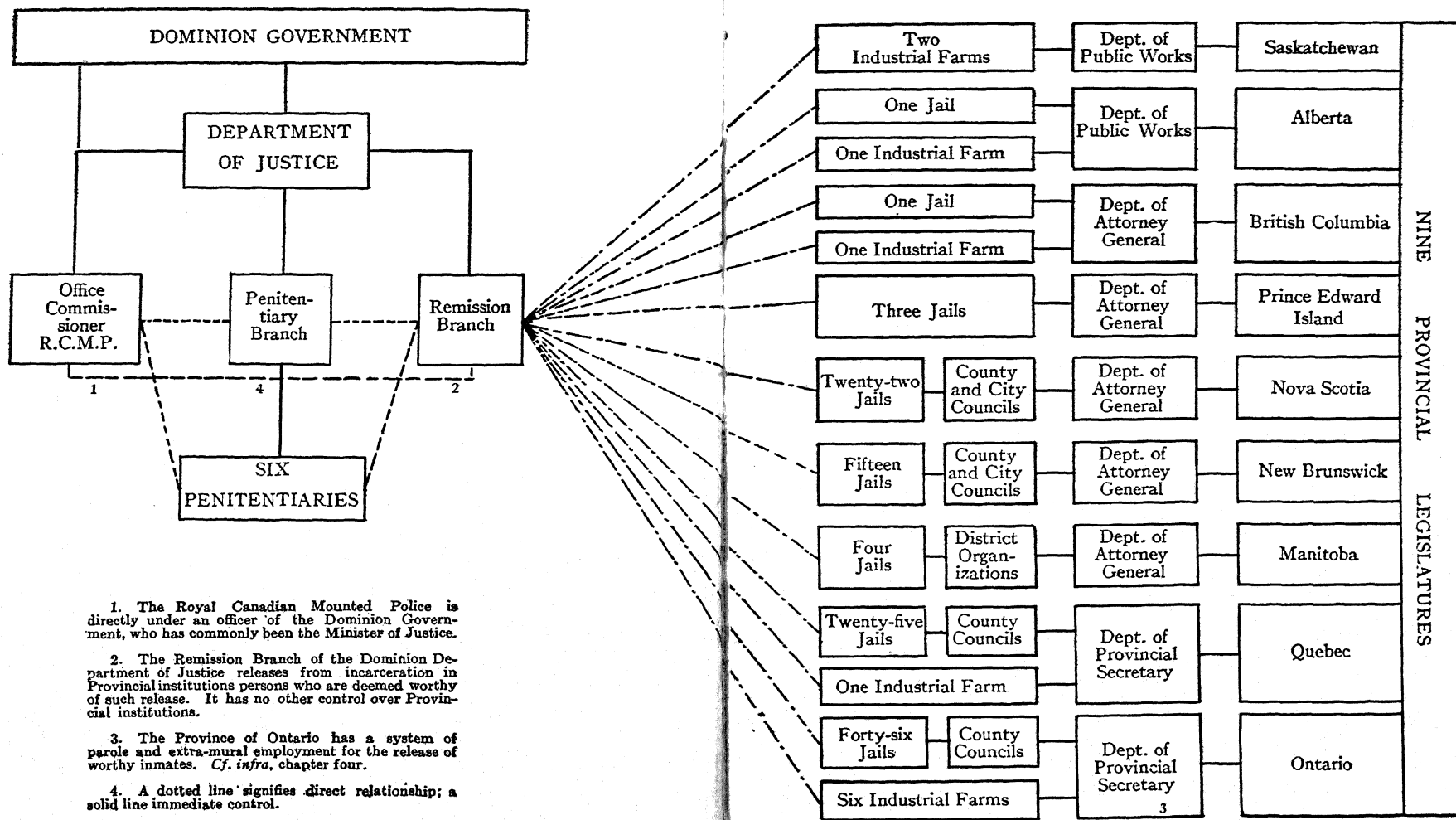
Canada is controlled politically by a Dominion Government, by Provincial Legislatures, and by County and City Councils. Canadian penal institutions are controlled by these same units of government. The Dominion Government has full charge of penitentiaries, and has as its wards in these institutions all persons sentenced by a court for a period of two or more years in a penal institution.

The Provincial Legislatures in a number of cases have provincial institutions that are directly and immediately under their control through a departmental officer. The Province of Ontario has four such institutions; New Brunswick, Nova Scotia, and Prince Edward Island have none. These latter Provinces have county and city jails, such institutions being partly under the control of the Provincial Legislature and partly under the control of a city or of a county council.<sup>56</sup> The Province of Ontario has county and

<sup>55</sup>Gillin, *op. cit.*, p. 851.

<sup>56</sup>The county jails of Prince Edward Island are directly under the control of the Provincial Legislature.

CHART I  
CANADIAN PENAL INSTITUTIONS CLASSIFIED SO AS TO SHOW DETAILED  
ADMINISTRATIVE CONTROL



city jails in addition to its Provincial institutions. County and city jails are commonly inspected by a provincial officer as well as by an individual or individuals representative of the local area in which they are situated. They are nominally under the jurisdiction of the sheriff of the county in which they are located, but this officer frequently has less to say concerning their management than has the local jailer, who, within the confines of his institution, has very arbitrary powers.

Table I gives a complete list of Canadian penal and juvenile institutions classified as to kind, as to control, and as to numbers by Provinces. In Chart I juvenile institutions have been omitted and penal institutions have been classified so as to show detailed administrative control.

TABLE I

CANADIAN PENAL AND JUVENILE INSTITUTIONS CLASSIFIED AS TO KIND, AS TO CONTROL, AND AS TO NUMBERS BY PROVINCES, 1927.

PROVINCE	Dominion Control	Provincial Control				Totals
		Exclusive		Partial <sup>a</sup>		
		Peniten- taries	Indust <sup>l</sup> Farms	Jails	Jails	
British Columbia..	1	1	1	0	2	5
Alberta.....	0	1 <sup>b</sup>	1 <sup>c</sup>	0	0	2
Saskatchewan....	1	2 <sup>b</sup>	0	0	1	4
Manitoba.....	1	0	0	4	2	7
Ontario.....	1	6 <sup>d</sup>	0	46	5	58
Quebec.....	1	1 <sup>b</sup>	0	25	9	36
New Brunswick...	1	0	0	15	1	17
Nova Scotia.....	0	0	0	22	4	26
Prince Edward I'd.	0	0	0	3	0	3
Totals.....	6	11	2	115	24	158 <sup>c</sup>

(a) Commonly through the Department of the Provincial Secretary, the Department of Public Works, or the Department of the Attorney General.

(b) Listed in official reports as jails.

(c) These institutions had incarcerated within them on January 1, 1923, 7,532 persons as against 109,075 persons incarcerated in the penal and reformative institutions of the United States on the same date. See *Criminal Statistics, 1923, Canada*, p. 314; *Prisoners, 1923*, Washington, 1926, p. 23.

(d) The Andrew Mercer Reformatory for Women, Toronto, and the Industrial Farm for Women, Concord, are included in this figure, but are not treated elsewhere.

(e) This institution might also be considered an industrial farm.

CHAPTER II

THE PENITENTIARY BRANCH OF THE  
DEPARTMENT OF JUSTICE

"In the past the prevailing idea has been that penitentiaries were a place of punishment only; that it was of small moment whether men were kept in idleness, made break stone, or given clean, interesting, useful work to do, so long as society was protected from them.

"Penitentiaries are now fast being regarded as industries—factories to manufacture government material and to remake men. From depraved, neglected, diseased and crooked material received, their object is to turn out, as their product, good citizens, reformed and fully qualified to take their places in the world of work."

Brig.-Gen. W. S. Hughes, D.S.O., Superintendent of Penitentiaries for Canada, Annual Report, 1926.

## CHAPTER II

### THE PENITENTIARY BRANCH OF THE DEPARTMENT OF JUSTICE

#### A. ORGANIZATION AND ADMINISTRATION

The Penitentiary Act lays down the principles on which Dominion penal institutions are to be administered, but persons in executive positions under the Act determine the spirit in which and the efficiency with which principles are applied.

The whole penitentiary service is under the Department of Justice, with the Minister of Justice as the nominal head of the Branch. The Minister, however, interferes only in very special cases,<sup>1</sup> and then usually on the advice of the responsible executives of the service. The Deputy Minister of Justice takes a more active interest in penitentiaries, but an interview with Mr. Stewart Edwards, Deputy Minister of Justice, convinced the writer that the Department of Justice leaves this Branch very much in the hands of its own chief executive officer, the Superintendent of Penitentiaries, provided he keeps within the powers given him under the Act.

There were formerly two Inspectors of Penitentiaries, but on May 24, 1918, the Penitentiary Act was amended to create a Superintendent of Penitentiaries, "Who shall, under the Minister, direct and superintend the administration and business of the penitentiaries, and perform such other duties as may from time to time be assigned to him by the Minister."<sup>2</sup>

The present Superintendent of Penitentiaries is William St. Pierre Hughes, D.S.O., brother of the late Sir Sam Hughes, of the Canadian Expeditionary Force. Superintendent Hughes has had a long and creditable record in the Penitentiary Service, having been first

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<sup>1</sup>Such as the application of corporal punishment on the initiative of a warden.

<sup>2</sup>*Revised Statutes of Canada, 1918, chapter 36.*

appointed in 1893 and having spent twenty-two years in various capacities in the actual administration of a penal institution. He was chief keeper at Kingston penitentiary for a period of seven years, and had served as warden's secretary, clerk of industries, accountant, acting-warden, and inspector previous to his appointment as superintendent in 1918.

On the immediate staff of the Superintendent of Penitentiaries are a Dominion parole officer, three penitentiary inspectors, and twenty other persons.

Wardens are appointed to the Penitentiary Service rather than to any specific institution and may be moved about by the superintendent. The combined staffs of the six penitentiaries number slightly over 500 persons, the largest institution, Kingston, having a staff of 132.

All persons attached to the Penitentiary Branch are definitely "out of politics," being appointed, paid and removed according to the regulations of the Civil Service Commission.

## ***B. THE POLICIES AND PROGRAMME OF THE PRESENT SUPERINTENDENT OF PENITENTIARIES***

The work of General W. St. Pierre Hughes, who became sole executive officer of the Penitentiary Branch in 1918, under the title of Superintendent, merits treatment at some length, not only because of his long experience and present position, but more largely because his dynamic, energetic personality is the largest single factor to be considered in any evaluation of the present status (1919-1927) of Canadian penitentiaries as agencies for the treatment of law-breakers.

He came to his present position with very definite ideas in regard to prison management and he set them out clearly in the annual report, which he issued in 1919. Fifteen specific recommendations can be clearly distinguished in this document,<sup>3</sup> the following sentence serving as the "theme" of the report.

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<sup>3</sup>*Report of Superintendent of Penitentiaries, 1919, Canadian Government Printer, Ottawa, 1920.*

"Our endeavours are to conduct clean, wholesome institutions, under sane conditions, where inmates are well cared for, well fed, well treated; where brutal treatment is not permitted, where every endeavour is put forth for the comfort and well-being of the inmates; where an honest endeavour to morally uplift them and improve their education is made; where they are guarded with sufficient vigilance to maintain them in custody as directed by the court order committing them, and at the same time are governed according to the spirit of the Penitentiary Act of Canada."

The fifteen recommendations were as follows:

1. That Canadian penitentiaries continue to maintain the high standards of the past that have put them "well abreast of the world in this work."

2. That the stone pile be abolished.

3. That well-trained medical officers be induced to enter the Service.

4. That a duly qualified, competent, certificated school teacher be appointed to each of the six penitentiaries.

5. That library facilities be vastly improved.

6. That work be arranged for the inmates by the Government under the state use system.

7. That better and more palatable meals be served in penitentiaries.

8. That the taxpayer be freed of the burden of paying for tobacco for inmates through a system of the purchase of tobacco from wages paid to inmates.

9. That advanced methods of agriculture be taught to inmates.

10. That employment for an inmate about to be discharged be arranged by a penitentiary officer prior to the discharge of such inmate.

11. That there be in each penitentiary area a parole board dominated by penitentiary officers and having as its executive an area parole officer who makes thorough investigation of all cases by actual contact and who arranges for employment and supervision of inmates on discharge.

12. That inmates be paid wages for work well done.



13. That the problem of the criminally insane be faced and dealt with possibly by the erection of a special institution for the care of such persons.

14. That police officers be given three months' training prior to employment and that superior officers be given special training before being promoted.

15. That the Penitentiary Service be administered internally under the type of organization and control that has been adopted for the Royal Canadian Mounted Police.

The first five of these recommendations have been adopted. The stone pile is gone; the medical services have been wonderfully improved; excellent schools and libraries are found in each of the penitentiaries, and the former standards have, without a doubt, been at least maintained if not surpassed. The next five recommendations have been partially achieved.

The superintendent's report for 1926 contends that work has been made available by the Government for not more than ten per cent. of the inmates, whereas his former reports have requested work for at least fifty per cent. Superintendent Hughes has consistently claimed that given a free hand by the Government he could not only make Canadian penitentiaries self-supporting, as is the Minnesota state prison, but could pay the inmates a small wage to assist their families during the period of the incarceration of the bread winner. Wardens and other responsible persons in the penitentiary service share this view and the amount forwarded to the Receiver General as revenue from the employment of penitentiary inmates has steadily risen from \$63,000 in 1917 to \$168,000 in 1926, yet the report of the superintendent for 1926 is forced to include with its nine recommendations "the furnishing of more work for the inmates by the Government."

Deputy Warden R. R. Tucker claimed that at Kingston in 1922 food was plentiful and varied although sometimes poorly cooked, and in 1926 this statement was made to the writer by inmates in more than one penitentiary.

A limited issue of tobacco has been given out since

1921 to those who used it before coming to the institution. The taxpayer, not the inmate, has paid for it.

The principle that only graduates of an agricultural college are henceforth to be employed as farm instructors has very materially improved farming practice in Canadian penitentiaries, but the writer feels that the objectives laid down in 1919 have not been attained.

No penitentiary parole officers have been arranged for by the Government, so that no thorough and consistent employment service for inmates on discharge has been possible.

The remaining five recommendations seem to have utterly failed of fruition. That the Superintendent of Penitentiaries is still optimistic concerning these recommendations is seen in the fact that all except No. 11 are included in his report of 1926.

A further recommendation made in 1919 has been omitted because it was not repeatedly stressed in the annual reports year after year as were the others. It concerned "legislation that will provide for the study, classification and treatment of them (potential penitentiary inmates) in the community in which they have lived; in the schools, in the jails, police courts, reformatories, prison farms and such like institutions, and endeavour to save them before they have graduated to the penitentiary."<sup>4</sup>

What new policies have been outlined by the superintendent in his annual reports for the period 1920-1926, and what changes in the policies and recommendations of 1919 are to be noted in these documents?

The report of 1920 pointedly recommends the building of an institution for the incarceration and cure of the criminally insane and repeats almost verbatim the other fourteen recommendations of 1919. In this year the idea of an annual Canadian Prison Congress is first suggested, but it is to be noted that the Prison Congress in the mind of Superintendent Hughes corresponds more nearly to the Wardens' Association of the American Prison Congress than to the whole of that body. Since such a group could be

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<sup>4</sup>*Superintendent's Report, 1919, p. 11.*

brought together on the initiative of the penitentiary officials themselves, the recommendation was acted on almost immediately. Canning factories likewise came into existence shortly after their recommendation in this year.

In reply to certain criticisms that have been made Superintendent Hughes states that inmates are given as much liberty as is compatible with safety and lays down his general policy for the treatment of incarcerated persons in the following words:

"No prison should be made a place of horror, nor should the unfortunates who are sent there be abused or ill-treated. Sane methods of management and reformation should prevail and be continually improved and restraint relaxed as the inmates show themselves worthy of it, but they must ever regard a prison as such and not as a playhouse, where they may by wrongdoing be sent to spend a vacation and live more comfortably than by a life of honest work. . . . The most successful treatment in the reformation of the criminal is one of vigilance, gentleness, patience, persuasion, education, example and religion."<sup>5</sup>

The report of 1921 continues the theme of incarceration treatment with:

"About sixty per cent. of those sent to the penitentiaries leave them without having suffered punishment. The more punishment inflicted on inmates in a prison the stronger the probability that the place is poorly managed. It has also been demonstrated that seldom is a conversion to virtue obtained through punishment. Physical force can check or temporarily restrain various forms of evil, but usually at the cost of rendering them still more intense and permanent. . . .

"The earning of remission and the hope of more speedy release from prison by parole are the two great incentives to good behaviour in the penitentiaries."<sup>6</sup>

It was in 1921 that the policy of individualization of treatment was definitely inaugurated and the superintendent in that year in a single penitentiary

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<sup>5</sup>*Report of The Superintendent of Penitentiaries, 1920, p. 10.*

<sup>6</sup>*Report, 1921, p. 10.*

personally interviewed almost 200 inmates, contending that "no real results can be obtained in the treatment of the offender until the distinctions between one prisoner and another are taken into account."<sup>7</sup>

Two new recommendations were made, namely, that a penitentiary for reformable first offenders should be built in the eastern part of Canada and that the female prison, the plans and specifications for which had been submitted the previous year, should be proceeded with at once, both projects to be carried out through the use of prison labor.

The Canadian Government printing office assembled the recommendations of the Superintendent of Penitentiaries for the years 1919-1921 in a single pamphlet and issued it with a statement at its close by Supt. Hughes of his achievements in the Penitentiary Service over the three-year period. Although attention has already been drawn to some of these achievements they will be summarized as set down in the document.

1. Increased cash revenue forwarded to the Receiver-General averaging \$149,000 per year, as against an average of \$70,000 for 1917 and 1918.

2. Large increase in salaries of all officers.

3. One day in each eight off duty for discipline officers.

4. The introduction of carefully selected, qualified, certificated school teachers.

5. Improved library facilities.

6. The substitution of blue clothing in winter and brown clothing in summer for the former checks and stripes.

7. The granting of a tobacco ration.

8. Added writing and visiting privileges.

9. Greater variety of food and change in the diet.

10. Improved cooking and serving of meals.

11. The introduction of concerts and moving picture shows.

12. The holding of religious missions.

13. The non-clipping of hair during winter months.

14. Improvement in the discharge outfits.

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<sup>7</sup>*Op. cit.*, 1921, p. 10.

15. Individualization of treatment for inmates.
16. Improvement in prison hospitals.
17. Additional work secured for inmates.
18. The introduction of properly equipped dental surgeries.
19. The introduction of the ideal of "a job for each inmate on discharge."
20. The obtaining of authority to erect a new penitentiary for females.<sup>8</sup>

The year 1921 saw two mutinies at Kingston penitentiary, several investigations and a great deal of objectionable publicity in the newspapers for the superintendent. The investigation by W. F. Nickle, K.C., by direction of the Minister of Justice, vindicated those in authority, but the general effect was to increase the difficulties of those who at some future date might undertake a careful evaluation of the workings of the Penitentiary Service.

The report of 1922 devotes many pages to the results of a religious mission held in Manitoba Penitentiary, and the influence of the disciplinary recommendations is seen in the reduction of the number of charges made against inmates by officers. Previous recommendations are reiterated, but no new recommendations are made.

In 1923 eleven recommendations are massed at the close of the annual report, the only new one being that for the "segregation of habitual criminals." Such a recommendation fits admirably into the earlier programme, being the logical complement of the recommendation for the segregation of reformable first offenders. The Superintendent shows every sympathy with the old offender, but has few delusions about him, regarding his study as "interesting pathology" rather than hopeful penological practice. In 1921 he criticized parole from this point of view, contending that "inmates are released on parole who are amongst the worst behaved in the prison, while it often happens that first offenders, though their conduct in prison has

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<sup>8</sup>*Reports and Recommendations of the Superintendent of Penitentiaries*, Government Printing office, 1923, p. 22.

been exemplary, obtain their release by expiration of sentence only."<sup>9</sup>

Neither the report of 1924 nor that of 1925 contains a single new recommendation, but the former report reiterates earlier recommendations, outlines results of experiments with mental tests and contains many commendatory letters concerning the Penitentiary Service; the latter has no comments whatsoever by the Superintendent.

The report of 1926 has nine pages of comment. There are no new recommendations, but there is more than a page of direct quotations from previous reports, as well as strong arguments for the adoption of certain specific former recommendations, nine of which are listed at the close of the report as follows:

1. Segregation of inmates by institutions.
2. A criminal mental disease hospital.
3. The segregation of habitual criminals.
4. More work for the inmates.
5. Wages to inmates.
6. An employment service for inmates about to be discharged.
7. A training school for officers.
8. Administration of the Service along R.C.M.P. lines.
9. A change in the method of purchasing supplies.<sup>10</sup>

This report also contains a list of forty-seven topics discussed at the Canadian penitentiary conventions held in 1924 at Vancouver and in 1925 at Winnipeg. The topics as listed are the best possible check one could obtain on the trend of thought in the Penitentiary Service to-day, since they show what its responsible officers are thinking about and discussing. They are, therefore, given in full detail as they appear in the report.

"Revision of the Penitentiary Act. Revision of penitentiary regulations. Visits of inspection by superintendent, inspectors and auditor. The reception of inmates. Medical examination and treatment of inmates. Dental services for inmates. Employment of inmates. Education of inmates. Penitentiary schools and libraries. Clothing of inmates (both prison and discharge). Finger-printing and photographing of

<sup>9</sup>*Report, 1921*, pp. 10 and 11.

<sup>10</sup>*Report, 1926*, p. 17.

inmates. Dietary of inmates. System of cooking meals. Punishments. Segregation, classification and wages of inmates. The selection and appointment of officers. Advertising methods employed by Civil Service Commission. Eligible lists for guards. Qualifications of guards. Stature of police officers. Training schools for police officers. Shooting competitions. Fines. Uniforms. Duties and qualifications of instructors. Retirement of officers. Prison industries. Prison equipment. Flogging of inmates sentenced by court. Entertainments for inmates. Treatment of insane. Criminal mental disease hospital. Treatment of inmate dope fiends. Teaching of agriculture to inmates. Taking blood tests of inmates. Indeterminate sentences. Parole. Superannuation and gratuity of officers. Purchasing of supplies. Cell barriers and cell equipment. Use of motor vehicles by penitentiaries. Furnishing of wardens' and deputy wardens' quarters. Revision of salaries. The returned soldier preference. Excellent work of the Salvation Army."<sup>11</sup>

The nine recommendations listed at the close of the report for the year 1926 are reiterated at the close of the report for the year 1927, which contains no new recommendations.

#### SUMMARY OF SECTION B

The Executive Officer of the Penitentiary Branch of the Canadian Department of Justice is a man of long and varied experience in the Penitentiary Service, and, in addition, one with a dynamic, forceful personality and very definite ideas concerning penitentiary management.

The Department gives him a free hand so far as his own Branch is concerned, but the Government has been slow in adopting his recommendations, the majority of which are excellent and in full harmony with the most advanced penological thinking in the United States and in England. Of the fifteen recommendations made in 1918 one-third have been adopted in full, one-third have been achieved in part and one-

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<sup>11</sup>*Report, 1926*, pp. 16 and 17.

third are still in the realm of "hopes." The administration of Superintendent Hughes has seen the abolition of the stone pile, improved medical and library services, the employment of competent school-teachers, the increase of employment for inmates, better meals, better agricultural methods, free tobacco for inmates, and the introduction of an employment service for inmates about to be discharged. It has failed to achieve a rational system of classification of inmates, wages for inmates, local parole and employment officers, a training school for officers, segregation for insane and for habitual offenders, power to discipline its own officers and the thorough examination of potential penitentiary inmates in the schools, the jails, the courts and the reformatories.

### *C. KINGSTON PENITENTIARY*

Since the penitentiary itself is the chief tool used by the Penitentiary Branch of the Department of Justice in its treatment of persons committed to its care, it seemed wise to describe in detail one such institution. Points in which the other five Canadian penitentiaries differ from the one selected for detailed description will be noted in a separate section. The institution at Kingston, Ontario, has been chosen for detailed description, in spite of the fact that its plant is more antiquated than some of the others (notably that at Prince Albert, Saskatchewan), because this institution is most directly under the eye of the superintendent's office, has an experienced warden and is in many of its aspects midway between the best and the worst in penitentiary construction and management.

The writer has been more or less familiar with this institution since 1908, and in 1925, with the permission of the Superintendent and with the co-operation of Warden J. C. Ponsford, spent a week within its walls in a detailed study of its plant, equipment, administration, etc.

1. GROUNDS AND PLANT. (*a*) *Buildings.* One's first impression on approaching Kingston penitentiary is of



a high stone wall with flanking towers and a fortified entrance gate. Passing through the solid entrance, which contains offices, reception room, etc., and which is double gated, the star-shaped cell block with its high dome stands out before us. The women's prison is on the right, with the office of the chief keeper and the hospital on the left. Limestone has been used in all construction work and the effect is imposing; but the peculiar type of architecture casts a gloom over the scene that is wholly lacking when one gazes at Queen's University buildings in the same city although they, too, are of limestone.

(b) *Cell Blocks.* There are eight blocks of cells of four ranges each, with a total cell space for 616 inmates. The cells built in 1885 were two feet three inches across, but the latest type is over five feet, being ten feet high and over nine feet long. None of the 1885 type of cells now exists at Kingston.

(c) *Commissary.* There is adequate storage for food, including excellent refrigeration facilities. The kitchen contains six large 200-gallon steam boilers, a large bake oven, Fletcher dough mixer, Hubbard general utility mixer, Niagara washer and other equipment. Meals are served cafeteria style from a steam-heated table and are eaten in the cells at folding tables, there being no dining-room. The steward is a cook by profession with previous training and experience.

(d) *Work Shops.* The work shops are in a group of large stone buildings that are well lighted, well heated and allow ample space to work. A rather thorough system of vocational training in a number of branches is in operation, including carpentering, painting, printing, bookbinding, tinsmithing, stone-cutting, canvas-working, farming, tailoring and blacksmithing, for which the necessary shops and shop equipment are available.

(e) *Hospital.* The hospital has its own separate building and consists of two main wards, containing thirty-six large cells. In addition to these two wards are to be found an operating room, a sterilizing-record

room, a dispensary, quarters for the male nurses, and a number of corridors, the entrance corridor serving as a reception room. The penitentiary surgeon considers the equipment as good or better than that found in an average small hospital of Canada or the United States, and the doctors from the Kingston General Hospital, who act in a consulting capacity, support him in this opinion. Dr. M. T. MacEachern, Associate Director of the American College of Surgeons, very kindly consented, at the request of the writer and with the permission of the superintendent, to visit the hospital of Kingston penitentiary, and his report and recommendations are to be found in Appendix I to this volume.

(f) *Chapels*. There are two chapels which are large, pleasant, airy rooms.

(g) *Farm*. The farm consists of 317 acres of land, ninety acres of which are in hay. In 1926 more than 2,000 bushels of potatoes, turnips, carrots, beets, onions, and parsnips; more than 250 tons of feed; more than 4,000 bushels of grain; almost 40,000 pounds of pork; more than 11,000 pounds of tomatoes and rhubarb; and twenty-seven tons of cabbage were raised.

(h) *Women's Prison*. The women's prison is within the wall of the penitentiary, but the women will be removed as soon as their new prison, which is now under construction, is completed.

2. OFFICIALS. (a) *Control*. The immediate control is in the hands of a warden, who is responsible to the Superintendent of Penitentiaries, who in turn is responsible to the Minister of Justice. The present warden is J. C. Ponsford, who has had fourteen years' experience in that capacity and has served at Manitoba and at Edmonton, as well as at Kingston. He is known as a "working" warden and was greeted with a mutiny when he came to Kingston from Edmonton.

The staff falls into three divisions, with twenty-nine in general service, eighteen in industrial service and eighty-five in police service.

(b) *Salaries and Pensions.* Salaries range from \$3,420 with free quarters, heated and lighted, for the warden, through \$3,000 for the surgeon, \$2,400 for a full-time chaplain and a deputy warden, to \$1,080 for the most-recently-appointed guard. A guard may hope to receive \$1,440, a keeper or industrial guard \$1,560, and a clerk \$1,620. The school teacher receives \$1,620, and the steward-cook \$1,800.

Uniforms are supplied in addition to these salaries, and certain meals are given free to those on duty. Commodities that can be made in the penitentiary may be contracted for at cost for their own use by officers, but must under no condition be sold. A pension system is in vogue that provides twenty per cent. of the salary earned at the time of retirement for ten years' service, with a possible increase to seventy per cent. with length of service. This pension system was adopted in 1924, a small retiring allowance being granted prior to that date.

3. INMATES. (a) *Population.* On March 31, 1927, there were 720 inmates in this penitentiary, the average for the four previous years being 711.

(b) *Classification.* Individualization of treatment is the aim, and men are received on their merits, being sorted out by practical administrators according to abilities, aptitudes and behaviour. No objective intelligence or aptitude tests are used, although such tests have been experimented with on a small scale. The one criterion that is not used is the crime committed before coming to the institution, an inmate's standing being determined by the way he conducts himself within the institution. The warden personally interviews each inmate at the time of his arrival and of his discharge and holds a daily "clinic" to hear troubles and to mete out punishments.

(c) *Insane.* The warden reports eleven insane inmates as confined in the psychiatric ward of the Ontario Reformatory at Guelph on March 31, 1927, nine of whom are serving life sentences. Inmates who regain their sanity are returned to the penitentiary.

4. DISCIPLINE. (a) *Rules and Regulations.* The Penitentiary Regulations for Canada of 1899 are still in force and are printed in a small volume of twenty-five pages, containing 186 separate regulations. The warden also issues standing orders, and certain regulations are posted in each cell.

(b) *Punishments.* The Penitentiary Branch can do practically anything short of killing an inmate in order to break him if he shows fight, for it may summon the whole Department of Justice to its assistance. Formerly, "flogging with a leather paddle" and "the application of water from the hose" were common, but the first can now be given only with the consent of the Minister of Justice, and the second has been abolished by the legislature. A diet of bread and water, the forfeiture of bedding, confinement in isolation and shackling to the cell gate may still be used as punishments, and are used occasionally, but the two chief clubs in the hands of the warden are (1) his power to cancel remission earned by an inmate, and (2) his power to go any length to break an inmate who opposes his will. The inmates of Canadian penitentiaries have learned from bitter experience that a warden or even a penitentiary police officer may not be scoffed at with impunity. Because of the tradition that a Canadian warden should stand by his guns to the death, that official seldom has to assert himself with cruel and unusual punishments. This tradition holds at Kingston penitentiary.

5. HEALTH. (a) *Doctors.* The Penitentiary Surgeon, Dr. W. G. Anglin, has had superior medical and surgical training to fit him for his present position, having been for some years on the staff of Queen's University. The two male nurses are likewise capable and well trained.

Mr. J. S. Asseltine, a specialist, treats inmate eye troubles; Dr. W. T. Connell, head of the medical clinic at Kingston General Hospital and professor at Queen's University Medical College, is consultant; Dr. L. J. Austin, a specialist, treats venereal diseases;

and a reputable dentist visits the institution twice weekly to attend to defective teeth and gums.

Vaccination and a Wasserman test are given to each inmate on arrival, drug addicts are placed on a strong tonic and put under the supervision of the surgeon.

(b) *Hospital Treatment.* The character of the hospital equipment and of the medical and surgical staffs at Kingston penitentiary guarantees for the sick inmate modern scientific treatment in harmony with the standards set down by the Associate Director of the American College of Surgeons in Appendix I of this volume. Kingston penitentiary hospital has not, however, nor has any Canadian penitentiary hospital, as yet, come under the annual survey of the American College of Surgeons, the survey by Dr. MacEachern having been undertaken as a special project and not as part of his regular routine.

(c) *Diet.* The aim of the superintendent, the warden and the steward is to serve varied, palatable meals. Inmates transferred to the Saskatchewan penitentiary claimed that the meals there were very superior to those at Kingston, although the mere fact of meals in a new environment may have entered as a factor to influence the opinion. Officials recognize that one of the speediest ways to demoralize an institution is by the serving of inferior meals, and inspectors go carefully into the diet situation from time to time. Approximately 250 hogs are raised and eaten at Kingston each year, but the pork ration is varied by the frequent serving of beef and mutton.

(d) *Baths.* The change room and laundry contain twenty-four showers separated by slate partitions and floored with cement. There are also six barber chairs. Inmates must bathe and shave weekly and have their hair cut once each month, but certain inmates are allowed the more frequent exercise of these privileges.

The washing equipment is modern and is run by electricity, a power fan ventilating the laundry.

(e) *Recreation and Entertainments.* There are no athletic contests of any kind and no games of any sort.

Access to an excellent library is made easy and concerts and motion picture entertainments occur at intervals.

6. INDUSTRIES. (a) *Character*. There are more than ten shops for industrial training, the chief of which are as follows:

(1) The Carpenter Shop. It is equipped with a variety of saws, planers, borers, lathes, etc., and employs fifty inmates. A good quality of furniture was exhibited as having been made by inmates in this shop.

(2) The Paint Shop and the Tin Shop. The instructor aims to teach fundamentals as well as practical work and supervises vocationally twenty-five inmates in his shop. Artists are encouraged, automobiles are cleaned with a blow torch and repainted, and phonograph cases are stained and polished. Seven thousand four hundred signs for the Interior Department were made in 1926.

(3) The Blacksmith Shop. Equipment consists of hand forges, one small power forge, lathes, milling machines, boring mill, drill, presses, etc., but some of it is forty years old. Cell barriers are made, and in 1926 a system of steel cells was completed for the R.C.M.P. barracks at Jasper Park. Horses are shod, repair work is done, and all the iron work required about the institution is projected and carried out by the thirty or forty inmates employed in this shop.

(4) The Stone-cutting Shop. The inmates employed here are chiefly sturdy foreigners with long terms to serve, who, according to the instructor, become very expert in their work. One inmate has been continuously in the shop for nine years. The number employed is usually about sixty.

(5) The Canvas and Mail Bag Shop. This is the largest shop at Kingston, employing regularly in the neighbourhood of seventy-five inmates. In 1926 100 inmates were employed, 75,000 new mail bags having been made and over twice that many repaired. For the Parks Branch and the Forestry Branch tents, nose bags, tarpaulins, canoe covers, etc., are made. The gross revenue from this shop in 1926 was \$55,000.

(6) The Tailor Shop. On an average thirty-nine inmates were employed here during 1926, at the task of making guards' and inmates' suits and uniforms and on custom work, from which \$2,000 was made. The quality of the work is excellent.

(7) The Shoe Shop. This shop employed an average of forty inmates in 1926 and earned a revenue of \$4,500. Only men who show an aptitude are retained by the instructor, and these turn out a surprisingly good quality of work after a short period of apprenticeship. All the shoes for the inmates and the officers of the institution are made here, as well as the shoes of the R.C.M.P., and of certain other branches of the government service.

(8) The Printing and Bookbinding Shop. This shop contains a two-man hand power press and equipment for the binding of magazines and books. Seventeen thousand safety envelopes were printed here for the Parks Branch in 1926, as well as all stationery for Kingston and the other five penitentiaries. No penitentiary magazine is permitted, but the library catalogue is printed and all magazines are bound in this shop.

(9) Broom Shop. All brooms for the Penitentiary Service, as well as 300 brooms for the Public Works Department, were made here in 1926, at a profit of \$1,000.

(b) *Vocational Training.* The industrial guards are improperly named "guards," since they have police present in their shops to handle disciplinary problems, they themselves being instructors. Of the thirteen officers who rank as industrial guards, six were appointed directly to their present vocational positions when taken on the staff, which would in itself indicate previous training. No inmate stated that he considered his instructor incompetent, and a number stated that a specific instructor was competent when asked concerning him.

(c) *Employment.* Inspector Fatt stated that fifty per cent. of the inmates could be absorbed in institutional work, which means cleaning, helping with

meals, etc. Superintendent Hughes contends that the Government is supplying "only about one-tenth of the work that may be done in penitentiaries" in Canada in 1926.

(d) *Compensation.* The Superintendent of Penitentiaries has been advocating compensation for years, but no wages have yet been granted to inmates.

7. EDUCATION. (a) *Library.* The magazine list of over forty carefully selected magazines, including the "American," "Current History," "Literary Digest," "National Geographic," "Outlook," "Red Book," "Scribner's," "The Sphere," and others of like quality, must be regarded as excellent. It would do credit to any library or club, and the magazines in greatest demand have five copies available. The library catalogue issued in 1925 contains 157 pages and shows the books to be of as high quality as the magazines. The library is the same size as that at Sing Sing, approximately 13,000 volumes, but instead of being "donated promiscuously" it has been carefully selected and contains excellent classical and modern fiction, as well as books on biology, botany, chemistry, drama, ethics, logic, etc. The four pages of reference books include among the titles the Encyclopædia Britannica. By far the largest number of books in the library are fiction, the latest fiction being found on the shelves, provided an author, through his former writing, has made himself acceptable to the prison authorities. Mark Twain has half a page in the catalogue, as have Scott, Carey, Chambers, Cooper, Dickens, Henty; Kingsley, Kipling, Lytton, London, O. Henry, Roberts, Stevenson, Tarkington, have a quarter of a page each.

Books may be changed daily, and long lines of inmates are to be seen at the library each day changing books. Mr. Crossley has worked out an elaborate record system for the quick and accurate exchange of books, but his system of cataloguing is antiquated.

(b) *School.* Classes are held six days each week at the noon hour and for two hours five evenings each week. Stress is laid on the "three Rs," but eight inmates passed their high school entrance exami-



nations and three completed some college entrance work in 1926. The noon school is chiefly for illiterates and uses the class system, while the evening school is carried on by consultation in the cells. There is also a local correspondence system, which is very effective, but outside correspondence schools have not gained much of a footing on account of the inability of inmates to raise the necessary fees.

8. RELIGION. There are two chaplains and services are held each Sunday. The chaplains are also available for conferences with inmates.

9. TRAINING IN CITIZENSHIP. If by training in citizenship is meant participation in the government of the institution, then there is none at Kingston, but if it means an attempt to send inmates out into the world better prepared to live decent, wholesome lives, then it exists in a large measure. The policies of the Superintendent are respected at Kingston, and in his 1926 report he has stated:

"The successful handling of men in a penitentiary demands that those in charge of the administration of the institution must recognize that the inmates are their fellow men and, like themselves, human. . . .

"That the only successful method of government in a penitentiary is by a policy of strict discipline, justly and humanely enforced, where the inmates are taught respect for law and order (it was the lack of such respect that caused their downfall); where they are given a square deal, educated, taught a trade, at which they may honestly earn a living on discharge; where they would be paid a small wage for labour well done.

"The employment of officers of high moral standard, possessed of a fair education, who, by their bearing and daily conduct, demonstrate to the inmates what a real true man should be, would be one of the greatest boons possible."<sup>12</sup>

10. COST. The cost of upkeep in 1926 was approximately \$500,000, of which the staff absorbed almost fifty per cent. The maintenance and discharge of inmates cost \$72,000; water, light, heat and general

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<sup>12</sup>*Report, 1926, pp. 14 and 15.*

maintenance \$60,000; the industries \$40,000, and prison equipment, such as furnishings and machinery, \$40,000. A gross revenue of \$80,000 was earned during the year.

#### SUMMARY OF SECTION C

Kingston penitentiary, a massive, walled, limestone structure with a very superior library and hospital, varied workshops, a large farm, an effective school plant and two chapels, is a standard Dominion penitentiary.

Inmates are housed in small, clean, well furnished, well equipped cells that rise four tiers high, back to back, in enormous well-lighted stone buildings that spread out like the points of a star from a vast central dome.

These inmates are forced to keep themselves scrupulously clean and tidy; are fed, in their cells, large quantities of rough, wholesome food; are given all the work that can possibly be found or created for them; are sometimes confined to their cells on bread and water or otherwise strictly disciplined; are granted tobacco; are given shortened sentences for good behaviour within the institution; are granted a hearing on each complaint against them, but no control in the government of the penitentiary; are supplied with good books and magazines and encouraged to read them; are taught to read and write and to pass high school and college entrance examinations if capable; are taught any one of fifteen different trades; are seldom entertained either by motion pictures or concerts and are never allowed to play games or to take part in any athletic activities.

The officers, especially the junior officers, are poorly paid, but have become attached to the Penitentiary Service and have developed a high morale. Vocational officers are carefully selected and of surprisingly high quality considering the salaries paid them.

The institution cost the Dominion Government half a million dollars for upkeep in 1926 and created an income of \$80,000 in the same year. An inmate

who shows himself worthy may be released on parole, but there is no system of classification within the penitentiary itself.

#### *D. OTHER CANADIAN PENITENTIARIES*

There are five penitentiaries in addition to the one at Kingston, Ontario. The two in the eastern part of Canada are located at Dorchester, New Brunswick, and at St. Vincent de Paul, Quebec; the three in the western part of Canada at Stony Mountain, Manitoba, at Prince Albert, Saskatchewan, and at New Westminster, British Columbia.

1. **GROUND AND PLANTS.** Some of the buildings are constructed of stone and the others of brick, and all have high walls and large farms about them, the "plant" at Prince Albert being considered superior to all others. Cells vary in size, but all are back to back up the centre of a large dome wing, and the equipment of the cells is uniform throughout the Service. Each penitentiary has a hospital, at least one chapel, and a number of workshops. Prince Albert has a brickyard in addition to such shops as are found at Kingston.

2. **OFFICIALS.** The chief officer at each of the other penitentiaries, as at Kingston penitentiary, is a warden. Ordinarily this official has served in many capacities in various penitentiaries before being chosen for his present important post.

Wardens' salaries range from \$2,700 to \$3,420, but very creditable free housing accommodation makes the warden's position a desirable one.

The other officers at these penitentiaries likewise correspond very closely to those found at Kingston penitentiary.

3. **INMATES.** The inmate population has an individual stamp upon it in each penitentiary, even more than have the wardens. There is in the Maritime Provinces no institution between the county jail and the penitentiary; so that persons who in the other provinces go to a reformatory or to a prison farm, in Nova Scotia, New Brunswick, and Prince Edward Island are

sent to the penitentiary at Dorchester. The lack of large cities in the area is also a selective factor, so that one may almost say that there are no real "criminals" at Dorchester. The same statement would apply to the institution at Prince Albert, except that in the Province of Saskatchewan jails are in fact prison farms and can be used as such in lieu of the reformatory which does not exist in the province. St. Vincent de Paul penitentiary is located in a small suburb of the city of Montreal and gets the criminal from the "city jungle," making it probably the hardest of any institution in Canada to control.

The inmate population at Kingston is highly selected and is largely major crime "material," because of the existence in Ontario of one reformatory and three prison farms. Stony Mountain gets the man from the Winnipeg "jungle," but he is an amateur in contrast to the Montreal product. New Westminster gets the seaport riffraff, the dope pedlar, and the smuggler, and ranks next to St. Vincent de Paul in difficulty of control. The institution at Dorchester, on the other hand, is the most easily controlled, as far as inmate population is concerned, of any penitentiary in Canada.

Kingston consistently has the largest inmate population, with St. Vincent de Paul ranking next. Dorchester formerly ranked third, but in 1924 and 1925 Prince Albert took this position, Stony Mountain and New Westminster ranking fifth and sixth. The 1926 inmate populations were: Kingston, 702; St. Vincent de Paul, 653; Stony Mountain, 304; Dorchester, 292; Prince Albert, 266; and New Westminster, 256.

4. DISCIPLINE. Contrary to a common belief in the United States, the lash is not used in Canadian penitentiaries for the purpose of discipline. Inmates are lashed under but two conditions, namely when the court so orders in the sentence, and when the Minister of Justice grants permission at the request of a warden through the Superintendent, in a very extreme case of insubordination.

Disciplinary regulations are uniform throughout the

whole Penitentiary Service. Any variations in punishment or morale will, therefore, be dependent upon such other factors as staff, inmate population, plant, etc.

5. HEALTH. Bathing facilities in all penitentiaries are excellent, sheets and pillow cases being changed weekly, as well as inmate underwear. Health conditions are well looked after, but play of any kind is frowned upon. The dietaries at Manitoba and at Prince Albert appear to be better than at the other institutions. A dinner at Manitoba consists of beef (or pork or fish), brown or white bread, a variety of vegetables and tea; supper includes three of the following: cocoa, soup, rice pudding, bread, pancakes. Breakfast includes both milk and toast, as well as sugar and porridge.

The hospital at Dorchester penitentiary is the finest in the Service, being superior to that at Kingston. Part time medical officers are to be found at New Westminster and at Prince Albert penitentiaries, but the other three penitentiaries have full time medical officers, as has Kingston penitentiary.

6. INDUSTRIES. It is not until one visits the other penitentiaries that he realizes the force of Superintendent Hughes' contention that more work should be supplied to the inmates by the Government. The vocational staff at New Westminster struck the writer as equal in every way to that at Kingston, yet the revenue earned at New Westminster was only one-sixteenth that earned at Kingston in 1926. Kingston earned in that year almost as much revenue as the combined earnings of the five other penitentiaries. The vocational training at the other institutions equals that at Kingston, but the quantity of work supplied the inmates at these other institutions is vastly less than that supplied to those fortunate enough to be incarcerated in the largest penitentiary.

7. EDUCATION. Each penitentiary, likewise, has a school. That at the Manitoba institution does an exceptionally high quality of work, determined probably

as largely by the evident interest of the warden as by the organizing and teaching abilities of the school-master.

8. RELIGION. Penitentiary chaplains had their salaries practically doubled in 1925, which is some indication of the increased respect with which these officers are coming to be regarded in the Penitentiary Service.

Their work at the other penitentiaries, as at Kingston, is to hold religious services with the inmates each Sunday, and to arrange conferences with them on spiritual matters during the week. There is a well-attended organized Bible class at Stony Mountain penitentiary, and special services in which visiting clergy co-operate are held from time to time at the various penitentiaries.

9. TRAINING IN CITIZENSHIP. The organized Bible class at Stony Mountain was the only experiment in inmate self-government that was observed in a Canadian penitentiary. A large part of the programme of a Canadian penitentiary is, however, arranged with a view to sending the inmate out a more capable and a more law-abiding citizen than he was when he reached the institution. A detailed study of the industrial, of the educational, or of any other of the programmes outlined above will give concrete support to this assertion.

10. Cost. The average net annual expenditure on the six Dominion penal institutions during the period of 1924-1926 has been \$1,556,000. The per capita cost per inmate for the year 1927 was \$503.74.

#### SUMMARY OF SECTION D

The six Canadian penitentiaries are very much alike in government, in plant, and in results achieved. The individual wardens vary considerably, as do the inmate populations, but the uniformity in regulations, in general organization, in housing and in activities, and still more, the dominating personality of the Superin-

tendent of Penitentiaries, offset these two differentiating factors. Individual differences do show up, however, such as the superior buildings at Prince Albert, hospital at Dorchester, farm and school at Stony Mountain, morale at New Westminster, officers' club rooms at St. Vincent de Paul, and vocational work at Kingston.

CHAPTER III  
PROVINCIAL INSTITUTIONS FOR THE  
INCARCERATION AND TREATMENT  
OF LAWBREAKERS



"For persons just convicted should be erected one or more clearing houses to which all convicted persons would be sent speedily after trial, there to be detained until trained officials might gather all available information about them, carefully measure their capabilities, and intelligently decide upon the treatment which would best conserve the highest interest of each and also of society."

Dr. Alfred E. Lavell, Chief Probation Officer,  
Province of Ontario, *The Convicted Criminal*,  
p. 124.

## CHAPTER III

### PROVINCIAL INSTITUTIONS FOR THE INCARCERATION AND TREATMENT OF LAW-BREAKERS

There are a number of ways in which the institutions dealt with in this chapter might be classified; but since they are each and all under Provincial disciplinary regulations, a classification as Provincial, with due regard to location, type, and type of inmate incarcerated, seemed wisest.

#### A. THE CANADIAN PROGRAMME FOR JUVENILES

1. AS INITIATED BY PRIVATE GROUPS. *Social Welfare*, the official organ of the Social Service Council of Canada and of the Canadian Association of Social Workers, devoted its November, 1927, issue to "Delinquency,"<sup>1</sup> and exhibited its editorial staff as persons fully in harmony with a programme for the scientific treatment of juveniles. Edwin J. Cooley's "Probation and Delinquency," was praised as "an eloquent plea for the individual case-work method of dealing with delinquent and wayward youth," and Mr. Cooley was quoted with approval as follows:

"Sentimentality, hysteria, blind rage, or drastic punishment will not cure youthful delinquency. It cannot be checked by the future threat of prison walls or gallows. Youth needs sympathy, profound understanding, skilful guidance and training, and all the resources of modern science during his critical period of growth and infinitely difficult problems of adjustment."<sup>2</sup>

The Canadian Council on Child Welfare has a delinquency section and is active in stimulating interest in childhood. Its investigations and surveys rank

<sup>1</sup>*Social Welfare*, X, No. 2, November, 1927.

<sup>2</sup>*Social Welfare*, X, No. 2, November, 1927, p. 23.

with the best scientific findings on the continent.<sup>3</sup> Various service clubs join the social welfare groups in the advocacy and the support of an enlightened modern programme for juvenile delinquents.

Frank T. Sharpe, Secretary of the Big Brother Movement, Toronto, does not seem to be impressed by the results achieved by the Canadian programme. Speaking before the Canadian Child Welfare Conference at Vancouver, in 1927, he said:

"Do you know of any reform school in Canada with a trained social worker doing follow-up work or getting out into the cities and towns and making a study of the homes to which these lads return after their release?

"A careful study of our reform schools to find out just what qualifications for leadership the staffs possess might be very interesting for social workers, and rather embarrassing for some Governments responsible for such appointments.

"We cannot look upon our past efforts with very much pride, but we can give more thought to the work of the future and make sure that only those of the highest type, properly trained, are placed in charge of our erring youth."<sup>4</sup>

Concerning the Province of British Columbia, the British Columbia Child Welfare Survey states,

"In any case, the present almost total lack of field service for the protection and guardianship of neglected children cannot continue to exist without being recognized as a grave public scandal."<sup>5</sup>

2. AS CARRIED OUT IN PUBLIC INSTITUTIONS. (a) *The Boys' Training School at Bowmanville, Ontario.* (1) Ground and Plant. The school is built on the "cottage plan," the cottages being carefully planned as to detail and construction and built of pressed brick. There is a farm of three hundred acres, a creditable commissary and a temporary hospital building. The building programme includes a gymnasium

<sup>3</sup>See *British Columbia Child Welfare Survey*, 1927.

<sup>4</sup>*Social Welfare*, X, No. 2, November, 1927, pp. 37-38.

<sup>5</sup>*British Columbia Child Welfare Survey*, p. 23.

and swimming pool in addition to a hospital, vocational shops, and cottages.

(2) Officials. The school is under the Department of the Provincial Secretary, but is administered by a board of thirty members. In direct charge of the institution is a superintendent who has, to assist him, a staff of six specialists. The present superintendent is G. Elmore Reaman, Ph.D.

(3) Inmates. Each cottage can accommodate thirty-six boys, which would make possible a population of seventy-two for the present plant of two cottages. On August 18, 1926, there were in residence forty "students." No boy is admitted who has an intelligence quotient of less than eighty, nor are those boys who have committed serious crimes allowed to come into residence. The regulations state that boys between ten and fourteen years of age inclusive alone will be admitted, but boys both above and below these age limits are admitted "on trial."

(4) Discipline. Each cottage has a house-father and a house-mother, and the objective is to create in each cottage the atmosphere of a superior home. At meals the students sit in alcoves in the dining-room with various members of the staff sitting with them about a table that accommodates the number of persons to be found in a not abnormally large family.

All privileges are based on a system of merit marks. A boy may earn sixty of these per day: ten for school work, ten for play, ten for manual labour, ten for care of person, ten for care of clothing, and ten for morals and deportment. The four boys ranking highest in the school each month are made "head boys" for the month next succeeding and sleep in private rooms off the cottage dormitories, in addition to enjoying other favours. The cottage house-father has a committee of boys who act in an advisory capacity on matters of discipline. There are no set punishments, but putting a boy to bed for an indefinite period has been found effective.

(5) Health. There is no dietitian on the staff, but the meals are wholesome. The boys eat at the

same tables as do those who have them in charge and receive the same quality of food. In addition each boy gets a quart of milk each day for his personal consumption.

A psychologist and a doctor visit the institution at call, and a psychological examination, as well as a medical examination, is given each new entrant.

(6) Industries. The aim is to make the institution a "vocational guidance school" and the system used is that in vogue in many Junior High Schools. Each boy is given a chance to try a number of trades and vocations, special training being offered him in those for which he shows both aptitude and liking. Vocational training is closely correlated with academic training.

(7) Education. Formal academic training in the usual standard school subjects is given for half of each school day. The boys are encouraged to make use of the library and to be observant at all times.

(8) Religion. Evening worship is held daily in each cottage, and an attempt is made to make the boys feel that religion has a place in a normal life.

(9) Training in Citizenship. The fundamental aim of the institution is to return the inmates to society as good citizens. It is expected that the system of self-government will help in this particular.

(10) Finances. The superintendent receives an annual salary of \$4,500, and the other officers proportionate incomes. Parents are supposed to pay one dollar or less per day for each child kept in the institution. Less than forty per cent. of the parents pay anything at all towards the upkeep of their children.

The following four features of the Boys' Training School at Bowmanville merit the close study of all persons interested in the institutional treatment of juvenile delinquents:

(1) The organization of the institution as a group of families. (The boys eat as family groups, sleep and dwell as family groups, and are controlled in family groups.)

(2) The carefully selected staff. (The boys are

controlled and trained by a group of experts, including a psychologist, who were chosen on the merit basis.)

(3) The carefully selected inmate population. (The boys are selected on the basis of age, intelligence, and misdemeanour committed.)

(4) The broad educational programme. (Both academic and vocational subjects are taught, and the boys are trained in self-government, religion and the use of money.)

(b) *Other Canadian Juvenile Institutions.* A complete survey of Canadian juvenile institutions reveals a total of twenty-four industrial schools, detention homes, training schools, etc., which are of uneven quality as to equipment, staff and management. The authorities of the Province of Alberta evidently consider the Industrial Training School at Portage la Prairie the best in the western part of Canada, since they send their delinquents to it rather than to the Boys' Detention Home at Regina, Saskatchewan, or to either of the two industrial schools of British Columbia, yet neither Mr. Sharp nor the writer was particularly impressed with its facilities for adequate institutionalization. In spite of its two very creditable brick buildings, its energetic and wide-awake teaching staff, its supervised play, its excellent commissary and its light case load; because of its lack of classification and individualization of treatment and of that home-like atmosphere which is a characteristic of a thoroughly modern children's institution,<sup>6</sup> the Industrial Training School at Portage la Prairie must be set down as falling short of modern standards for work with delinquent juveniles.

The sentencing to the local jail of the boys who escape can be regarded as nothing short of atrocious. One cannot imagine such a volume as Drucker and Hexter's *Children Astray*<sup>7</sup> originating at this institution.

The Boys' Farm and Training School at Shaw-

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<sup>6</sup>Such as the Home for Jewish Children, Boston, or the Boys' Training School, Bowmanville, Ontario.

<sup>7</sup>Drucker, S., and Hexter, M. B., *Children Astray*. Harvard University Press, 1923.

bridge, Quebec, should be ranked half-way between the institution at Portage la Prairie and that at Bowmanville. The plant and programme at Shawbridge are excellent. E. W. Beatty, President of the Canadian Pacific Railway, is one of the most active workers on the Board. Mr. Owen Dawson, Secretary-Treasurer of the training school, characterized it as "the brightest spot in the Dominion for the training of juveniles." The Girls' Cottage Industrial School, Sweetsburg, Quebec, would seem to be on a par with the institution at Shawbridge. Other Quebec institutions fail to reach these standards.<sup>8</sup>

## B. PROVINCIAL INDUSTRIAL FARMS

1. A FUNCTIONAL CLASSIFICATION OF CERTAIN INSTITUTIONS. The following nine institutions, despite differing names and differing classifications in Canadian reports, have been regarded as "industrial farms," because they appeared to have more in common with each other than they had in common with penitentiaries, with juvenile institutions or with jails:

TABLE II

### PROVINCIAL INDUSTRIAL FARMS

Okalla Prison Farm.....	Burnaby, New Westminster, B.C.
Alberta Prison Farm.....	Lethbridge, Alberta
Regina Jail.....	Regina, Saskatchewan
Prince Albert Jail.....	Prince Albert, Saskatchewan
The Industrial Farm.....	Fort William, Ontario
The Industrial Farm.....	Burwash, Ontario
The Industrial Farm.....	Langstaff, Ontario
The Ontario Reformatory....	Guelph, Ontario
The Montreal Jail.....	Bordeaux, Quebec

Why should these institutions be called "industrial farms" rather than reformatories or jails or penitentiaries?

The term "industrial farm" was chosen because a careful study of the nine institutions disclosed the fact that they were in the first place "farms" and in the second place "industries." The "reformatory" at Guelph, Ontario, consists of a farm of almost one

<sup>8</sup>See Appendix III for complete list of Canadian institutions for juvenile delinquents.

thousand acres with creditable farm and institutional buildings upon it. But the "jail" at Prince Albert, Saskatchewan, is surrounded by almost twelve hundred acres of arable land. Each institution has equipment for industrial work and neither has a school of any kind or description. The remaining seven institutions in Table II exhibit the same features as do these two, and all nine receive inmates who are sentenced for a period not in excess of two years less one day. "Jails," as the term is understood in eastern Canada, where most of the jails are located, are institutions to which are sent persons sentenced for a period not in excess of six months. No arable land surrounds such institutions, and industrial features are wholly lacking. "Penitentiaries" have elaborate "shops" and well organized vocational and cultural training schools. Persons sentenced for two years or more to a penal institution are incarcerated within their walls. They are controlled and operated by the Dominion Government. The nine institutions in Table II may, therefore, properly be named "Provincial Industrial Farms."

2. THE GUELPH REFORMATORY: AN ONTARIO INSTITUTION. This institution was originally called a "prison farm," but its development has been such that it has come to be called a "reformatory."

(a) *Ground and Plant.* (1) *Buildings.* The corner-stone of the first building was laid in 1911, and the main buildings were completed in 1915. As one approaches the institution he cannot but be impressed with the beautiful landscape gardening. A letter "T" set against a hollow square makes an outline of the main block of buildings. The offices are in the head of the letter "T," and are very imposing. The body of the "T" is a corridor joining the offices to the central tower. This tower is part of the hollow square and rises five stories into the air, overtopping the rest of the buildings, which are three stories in height.

(2) *Cell block.* There are thirteen dormitories in addition to a large number of large-sized cells. The cells are against the wall and not up the centre of the dome wing as in the penitentiaries. Each cell has a



toilet, a wash bowl, a bed with woven wire springs, a pillow and pillow case, an unlimited quantity of blankets, a table, and in some cases a floor mat and a flowering plant. The furnishings do not include a tick or mattress, sheets, pyjamas and certain other minor equipment found in penitentiary cells.

(3) Commissary. The kitchen equipment is satisfactory, and there is a large, well-lighted dining-room.

(4) Workshops. The farm contains 950 acres and is suited to all kinds of mixed farming. The horse stable and dairy barns would do credit to any institution, while the piggery and root house are well up to standard. There is an abattoir, a planing mill, a woollen mill, a bed factory, a furniture factory, a paint and finishing shop, a canning factory, and a stone crushing plant. Beef, pork, and lamb for all Ontario institutions are killed at Guelph. Furniture made in the woodworking shop is to be found in provincial institutions in all parts of Ontario.

(5) Hospital. The doctor's office is in the administration wing and the dispensary is on the ground floor of the tower, the hospital itself is located on the top floor of this last building. There is a sterilization room, an operating room, and other rooms, including a small kitchen. The two wards can accommodate twenty patients. Serious cases are sent to hospitals in the city of Guelph.

(6) Chapel. There is a combined chapel and concert hall in which six hundred persons can be seated.

(b) *Officials.* Mr. C. F. Neelands, the superintendent, is a graduate of the Ontario Agricultural College and an able administrator. His chief assistants are a sergeant and a clerk of custodial records, with a total staff of ninety-four, of whom seventy are guards. Salaries range from \$4,500 received by the superintendent to \$1,400 received by the most recently appointed guard. There are no "extras" in addition to these salaries, since all goods and services obtained by the staff are paid for at an established cost of production rate.

(c) *Inmates.* (1) *Population.* No women are incarcerated at this institution. The population consists of approximately five hundred men whose average age is twenty-seven years. Seldom is a youth under sixteen found at the Guelph Reformatory; nor is any inmate found who has been sentenced for a period longer than two years less one day.

(2) *Classification.* There is no set system of classification, but inmates are changed around until a place is found in the institutional life where they fit in. Some gangs are strongly guarded, others have one guard, while certain individual prisoners are left unguarded for as much as five hours of a working day. The aim is to give "individual" treatment.

(3) *Insane.* Insane criminals from all parts of the Dominion of Canada are sent to Guelph for incarceration in a wing of the Guelph institution in what is technically known as "The Ontario Hospital." Dr. Norman Wallace, a specialist in mental diseases, is in direct charge of these inmates, while the superintendent of the Ontario Reformatory takes care of the administrative work.

(d) *Discipline.* There is a printed booklet on the subject of punishments, but no standing orders are issued by the superintendent. The most common punishment is the taking away of "remission of sentence" which has been earned by the inmate at the rate of five days a month since admission. Gratuity is also taken away in certain cases. Isolation with bread and water for a maximum of three days and ten slaps with the paddle may also be given if other methods of discipline fail. The superintendent prefers to admonish rather than to punish and uses this method with those inmates who are likely to profit by it.

(e) *Health.* (1) *Doctors.* Dr. Norman Wallace, in direct charge of "The Ontario Hospital," acts as medical officer of the reformatory, but brings a surgeon out from Guelph to perform operations. A dentist comes out as required, and a guard acts as full-time medical assistant.

(2) *Diet.* Meals are of good quality, dinner including a dessert as well as meat and vegetables.

(3) *Baths.* There are two in each dormitory, making twenty-six in all. Each man must bathe on admission and weekly thereafter, but may bathe more frequently if he wishes. The equipment for washing clothing is excellent, and there is a prison barber shop.

(4) *Recreation and Entertainments.* There are three baseball games each week in the summer and concerts by inmates or by outside talent weekly in winter.

(f) *Industries.* The character of the industries has been indicated above. The instructors have had special training and there is some attempt at vocational training of the inmates, but the superintendent repudiated the suggestion made by the writer that the reformatory was a vocational school. Vocational training is evidently incidental to employment, the basic aim being to keep all inmates, except those in hospitals, employed at useful work and to pay them for their industry. The maximum compensation possible is three dollars a month, but the normal amount earned is two dollars a month.

(g) *Education.* There is no library, no school, and neither school teacher nor director of industries.

(h) *Religion.* There is no chaplain. Visiting Protestant and Roman Catholic clergy are paid five dollars for each service, and the Salvation Army receives a Provincial grant.

(i) *Training in Citizenship.* There is no inmate self-government, but the officials aim to send inmates out better and more self-controlled persons than they were when they came in. The institution has no wall and certain inmates are given a large measure of liberty. There is no formal training in citizenship.

(j) *Cost.* The gross expenditure for the year 1925 was \$403,834. The revenue created in the same year amounted to \$333,750.

The following features of the Ontario Reformatory at Guelph merit the careful study of penologists:

(1) The excellent plant. (The buildings, located upon a 950-acre farm, have their approaches beautifully landscaped and contain the most modern type of cells and dormitories, a dining-room, a hospital ward, and a large chapel-concert hall.)

(2) The attempt to arrange a normal life for the inmates. (The inmates live in buildings that have no walls about them, are permitted freedom from oversight as they show themselves worthy of it, and are allowed such privileges as taking part in athletic sports and attending concerts. They are kept employed, in the summer, on the farms of the institution and, during the winter, in certain industrial plants located in close proximity to the cell blocks and dormitories.)

3. OTHER CANADIAN INDUSTRIAL FARMS. The plant at Bordeaux was erected to accommodate 600 inmates, at a cost of approximately \$2,000,000, and is in a class by itself for Canada. Cells are against the side wall, each with its own window, and have doors that give all the privacy of a select hotel. They are well equipped as to plumbing fixtures, tables and beds. The tile floors in the long corridors are artistically designed, and the brick of the whole structure is of a superior quality. There is an excellent hospital and a fair library. On the other hand, the kitchen is of average quality as to equipment, as are the shops of which there are four,—a blacksmith shop, carpenter shop, shoe shop and tailor shop. The meals are inferior to those served in penitentiaries, and the farm and shops do not appear to be utilized for vocational training or even for purposes of keeping all the inmates employed. A former inmate of Montreal jail, interviewed at Portage la Prairie, claimed that many prisoners incarcerated at Bordeaux passed their whole sentence confined in their cells.

In contrast with the very superior plant at Bordeaux, Quebec, the industrial farms at Burwash, Ontario, and Fort William, Ontario, have wooden buildings constructed on the dormitory plan. Greater stress is, however, placed on work at these institutions

and at Burwash inmates are paid a wage of from \$2 to \$5 per month. Farming is the chief activity.

Farming is also the chief activity at the industrial farm at Langstaff, Ontario. This institution bears the same relation to the city of Toronto as the institution at Bordeaux bears to the city of Montreal. Inmate population in each institution changes very frequently, making training of any kind difficult.

The Province of Saskatchewan is fortunate in having been able to learn from the older provinces of Canada and from the United States the futility of the jail, old style, as an institution for the treatment of law-breakers. The two prisons for adults in Saskatchewan are called jails, but are actually prison farms, with over 1,000 acres of excellent land each. A revenue of more than \$20,000 was taken in from the farm of the Provincial institution at Prince Albert in 1924, which was approximately one-third of the cost of the upkeep, and the institution at Regina did equally well. The Saskatchewan institutions are well planned and well constructed, the prison building at Prince Albert is considered by some persons the finest in Canada; but in common with other Canadian prison farms Saskatchewan "jails" have inferior libraries, neither cultural nor vocational schools, and no chaplains.

The provinces of Alberta and British Columbia have one old style jail each and one industrial farm each, the British Columbia prison farm is located at Okalla, and the Alberta farm at Fort Saskatchewan. The two institutions are very similar as to plant, equipment and management, the housing plant of each is excellent and the reformative plant non-existent. Each has a good farm and keeps its inmates at work, but there is, as a part of the programme of the constituted authorities who "reform" misdemeanants for these provinces, neither cultural or vocational training nor religious instruction.

#### SUMMARY OF SECTION B.

Nine institutions in various parts of Canada, on account of certain similarities, may well be classified as industrial farms. These institutions have in com-

mon excellent farms and adequate housing accommodation. The buildings are commonly of brick or cement, but two plants have chiefly wooden structures. Meals are not as palatable as in the penitentiaries, but are better than those served in the old style jails. Each institution has workshops, which vary considerably in equipment and in the use made of the equipment, but in no case is there vocational training by adequately trained instructors. Libraries also vary in quality, but are seldom worthy of notice. The Guelph institution has excellent hospital equipment as has the institution at Bordeaux, but hospitalization facilities vary considerably, medical officers being commonly on part-time service. Cleanliness is the order of the day in all the institutions and many of the inmates are kept dusting and scrubbing. There is weekly bathing and shaving, and each new arrival is treated to a bath. The normal thing is for an industrial farm to pay some of the cost of its upkeep, and a number of the institutions pay a small wage to inmates. Uniformly one finds neither school teacher nor religious instructor as a member of the staff.

### *C. LOCAL JAILS*

1. THE JAILS WEST OF LAKE SUPERIOR. The old style jails located west of Lake Superior in Canada can be counted on the fingers of two hands, four in Manitoba, one in Alberta, and one in British Columbia. Probably it is unfair to class any of these institutions with the jails east of Lake Superior, since there is, in the West, an honest attempt being made to wipe out that greatest curse of the eastern jail, idleness. But a visit to that dismal coop within the precincts of the University of Manitoba, across the street from the splendid Provincial legislative buildings, known as the Winnipeg jail, will convince any one that in spite of its very superior "governor" and its farm this institution is a real old mediæval "common jail." The jail was built in 1884, and was remodelled in 1912. Despite renovation the darkest cell seen in a Canadian penitentiary is better lighted than the brightest cell in Winnipeg jail.

J. C. Downie deserves a better plant, for he has actually converted this mediæval monstrosity into a dynamic institution that builds men. The brightest room in the building has been converted into a small hospital, in the basement is to be found a library and a dining-hall, and in the third story a creditable chapel. A school has been attempted and entertainments were permitted until inmates began planning escapes at the time they were held. About one-third of the population is kept at the farm, and each inmate so employed receives pay at the rate of twenty-five cents per day.

It would be foolish to exclaim over activities such as these in a penitentiary or even in an industrial farm, but jails seldom exhibit dynamic features, nor do "governors" of jails show much ingenuity in trying to remake their wards into socialized citizens. Of the forty-six jails of the Province of Ontario, only Ottawa and Kingston consistently showed an income of any sort. But the income at Ottawa came from having the inmates break stone by hand, a debasing occupation, according to the Superintendent of Penitentiaries. Other aspects of Ontario jails are on a par with the employment features, as the detailed description below indicates.

A further survey of Manitoba jails shows the Winnipeg institution to be by no means in a class by itself. The officials of the jail at Portage la Prairie aim to keep all inmates employed. Work is provided in the five-acre jail garden, on the lawns of the hospital and old folks' home, and on certain local city improvement projects that yield a maximum saving to the taxpayer with a minimum interference with free labour.

2. KINGSTON JAIL. AN EASTERN JAIL. (a) *Grounds and Plant.* (1) *Buildings.* The building on Barrie Street in the centre of Kingston's residential district was first occupied in 1860. It is of limestone two stories high, with heavily barred windows and a high encircling wall.

(2) *Cell Block.* There are forty-nine cells, but a number are used for storage purposes. Cells are two tiers high in the men's division, but there is no

second tier in the women's division. Cells open into wards, of which there are nine at Kingston jail.

(3) Commissary. Inmates eat at tables in the wards. Dishes are of tin, and the kitchen equipment is inferior to that found in a penitentiary.

(4) Workshops. Equipment for making tile enables Kingston jail to rank as one of the three Ontario jails that consistently show a financial return from inmate labor.

(5) Hospital. There is a dispensary but no hospital.

(6) Chapel. A ward in the women's department is used for religious services, but such services seldom take place.

(b) *Officials*. C. H. Corbett was in charge of this institution for fifty-two years, the present "governor" being J. T. Hawkey. The institution is under the Frontenac county council and the Ontario Provincial Secretary's Office and receives financial support and inspection from both these sources.

(c) *Inmates*. (1) *Population*. The greatest number of prisoners confined in this institution at any one time during the year 1925 was twenty; the lowest number, one. There were committed during that year one hundred and twenty-one persons, sixty-one of whom were maintained by the Province, the remaining sixty being maintained by the municipality.

(2) *Classification*. There is no set system of classification, but inmates are segregated by wards according to their general behaviour within the institution.

(3) *Insane*. Insane are removed with little difficulty to Rockwood Mental Hospital located in the city of Kingston.

(d) *Discipline*. General disciplinary enactments are laid down by the Office of the Provincial Secretary and are published in a small booklet of which several copies were to be found at Kingston jail. Local printed regulations are also posted, as well as type-written daily standing orders.

The chief punishments were confinement to cell and



the deprivation of full meals. Prisoners in jails receive no "remission of sentence" for good behaviour and therefore cannot have it taken away from them by the discipline officer of a jail.

(e) *Health.* (1) *Doctors.* The jail surgeon received a certain rate per visit. He gave no medical examination to incoming prisoners except those showing clinical symptoms.

(2) *Diet.* Meals were cooked by an inmate and cost in 1925 an average of fourteen cents per prisoner per day.

(3) *Baths.* Each inmate bathed at the time of his reception and weekly thereafter. The showers are located in the kitchen. Clothing is changed weekly and is washed in the women's kitchen. All sentenced inmates wear clothing provided by the jail authorities. Vermin has never been a menace at Kingston jail.

(4) *Recreation and Entertainments.* There is no attempt to "recreate" or to "entertain" inmates. The Salvation Army has been in the habit of putting on a concert once each year.

(f) *Industries.* In the year 1925 \$3,250 was received at Kingston jail from the sale of tile that had been made by the labour of prisoners. The making of tile is the only industry at this institution. There is no vocational training and no remuneration to inmates for labor.

(g) *Education.* There is no library and no school. No educational enterprises of any sort have ever been attempted at the institution.

(h) *Religion.* There is no chaplain. The Salvation Army formerly held one service each Sunday, but their services have been discontinued.

(i) *Training in Citizenship.* There is nothing that could be considered training in citizenship.

(j) *Cost.* The gross expenditure on this institution for the year 1925 was \$5,983.84.

3. OTHER EASTERN JAILS. The jail of the city of Toronto is poorly lighted and gives a visitor the impression of being in a dungeon. There are

two hundred and seventy cells, making it by far the largest jail in the Province, the jail at Ottawa, the second in size, having ninety-three cells. Almost half the persons committed to jail in Ontario pass through this institution. In the year 1925 there were committed to the jails of the Province 17,943 persons, of whom 7,250 were sent to Toronto jail. Within the regulations laid down by the Office of the Provincial Secretary, the local officials, as at Kingston jail, have full powers of discipline. The institution has a small dispensary and a hospital cot for the temporary segregation of an inmate showing clinical symptoms. It cost eighteen cents to feed an inmate for a day at this jail in the year 1925. Toronto jail has no library, no school, and no industrial features whatsoever. There is no chaplain, but, as at Kingston, the Salvation Army looks after the religious needs of the inmates. There is no training in citizenship.

The gross expenditure on the institution in the year 1925 was slightly over fifty thousand dollars.

The jail at Ottawa resembles these two institutions as to structure, and administration. There is neither library nor school. It differs from Toronto in that an income is produced by having the inmates break stone.

The Province of Ontario has forty-six jails, including those at Kingston, Toronto and Ottawa, and four lock-ups.

The Province of Quebec has twenty-five jails in addition to the institution at Bordeaux. Nova Scotia has twenty-two, New Brunswick fifteen, and Prince Edward Island three, making a total for Canada of 111 institutions that may properly be called old style jails. It would be a useless task to attempt to describe all these institutions in detail. It may, however, be well to describe a jail located in the Province of Nova Scotia before proceeding with the general summary.

"Rockhead" prison is the jail of the city of Halifax and is a grim granite structure, dating back to 1854. There is a farm, but no workshops, nor is there a hospital ward. The City Health Officer visits the jail, but no examinations are made on commitment except

of those showing clinical symptoms. The food is well above the average for jails and it is eaten in a dining-room; but there is neither library nor school and the cells are less than four and one-half feet wide and contain a night bucket. An officer highly placed in the Canadian Prison Service made the following statement to the writer:

"The jail situation in Nova Scotia and in New Brunswick is so bad as to be actually hopeless. There is not a single institution that cares for persons who ought not to be sent to the penitentiary, but who cannot very well be kept in the county jails."

#### SUMMARY OF SECTION C.

Canadian jails are located chiefly east of the Province of Saskatchewan. They are found to be clean, and few inmates escape from them. They have attached to them, however, neither schools nor libraries; neither full-time medical officers nor chaplains. The result is that they become schools for crime, where, in the absence of any positive good supplied by the officials, the hardened offender initiates impressionable youths into the ways and means of becoming professional criminals.

CHAPTER IV  
RETURNING CONVICTED PERSONS TO  
SOCIETY

"Unless a prison is curative and makes a man better, so that when he goes out he will see things from a different standpoint, it has no more right to exist than would a hospital which would maim and cripple its patients and send them out a greater burden on the community than when admitted."

B. Ogden Chisolm, International Prison Commissioner for the United States, Address, Congress of the American Prison Association, 1919.

## CHAPTER IV

### RETURNING CONVICTED PERSONS TO SOCIETY

#### A. RETURN PRIOR TO INCARCERATION

A very small percentage of persons convicted in a Canadian court are sentenced directly to a penal or reformatory institution.

1. BY THE PAYMENT OF A FINE. For the five-year period, 1920-1924, an average of seventy-seven per cent. of all persons sentenced by the courts of Canada were given the privilege of paying a fine. This meant 120,000 persons in 1924 as against 16,000 sentenced directly to an institution for juveniles, a jail, a prison farm or a penitentiary, in the same year. The percentage given the option of a fine in 1877 was 80.7, and during the period 1876-1924 it had never been lower than sixty-six per cent. in any year. A desire to fine rather than to imprison has, therefore, been present in the thoughts of Canadian court officials consistently for fifty years.<sup>1</sup>

2. BY REPORTING DIRECTLY TO THE COURT. The holding of large numbers of convicted persons directly responsible to the court for good behaviour is more modern. In 1924 more than twice as many persons were thus returned to society as were sentenced directly to an institution, the actual number being 33,000 or twenty per cent. of all convicted cases. The first year in which more than ten per cent. of all cases were so dealt with was in 1901. Less than two per cent. were held directly responsible to the court in 1877.<sup>2</sup>

#### B. RETURN FOLLOWING INCARCERATION IN AN INSTITUTION

Persons found in a penitentiary are in all likelihood those who were sentenced there directly by a court, although a very small percentage are persons

<sup>1</sup>*Criminal Statistics, Canada, 1924, p. 323.*

<sup>2</sup>*Ibid., p. 324.*

serving a life sentence, who were sentenced to death by a court. Juvenile institutions likewise contain those who have been committed to them by a competent authority. This statement applies, however, to neither the jail nor the prison farm, for many of those found in jails have been sentenced to pay a fine and are there in default of payment, while many of those in the prison farms have been transferred from a jail because the length of the sentence imposed carried with it such a possibility. More than three times as many persons are committed to Canadian jails and prison farms in default of the payment of a fine as for all other reasons combined. The average number of persons sentenced without the option of a fine to prison farms, jails and juvenile institutions in Canada annually was approximately 10,000 during the period 1922-1924. The average annual number received into these institutions during the same period was slightly over 40,000, the difference in the two averages representing persons committed in default of the payment of a fine.

In the year 1925 Canadian penitentiaries admitted 968 persons, reformatories and prison farms 7,511 persons, and jails 39,761 persons; yet at the end of the year the inmate population in custody was divided equally among the three types of institutions.<sup>3</sup>

"If the average population for the year be the average of the inmates at the beginning and the end of the year, and the number discharged be the turnover, the turnover in 1925 was: in penitentiaries, thirty-seven per cent.; in reformatories for boys, 343 per cent.; . . . in jails no less than 1,602 per cent."<sup>4</sup>

Inmates who have been sentenced to death or who die in custody from natural causes are not returned to society, and persons who are deported are not returned to society in Canada, but these three classes constitute a very small percentage of the inmate population. An inmate who pays his fine after commitment in default of payment is the exception rather than the rule, as is the inmate who escapes from custody.

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<sup>3</sup>*Canada Year Book, 1926, p. 963.*

<sup>4</sup>*Ibid., p. 963.*

There remain four ways in which persons once committed to a Canadian penal institution may be returned to society.

1. BY EXPIRATION OF SENTENCE. This would seem to be obvious, but as a matter of fact it is not common except in the jails, for in the penitentiaries and the prison farms an inmate commonly reduces his sentence very materially by good behaviour. He cannot, however, shorten his sentence by good behaviour in a jail.

2. BY EXPIRATION OF SENTENCE, LESS "GOOD TIME." In practice, a two-year sentence to a Canadian penitentiary means eighteen months, and a twenty-one-year sentence means fifteen actual years to serve. For the first six months of penitentiary incarceration no credit is given an inmate for good behaviour or for industry, but with the beginning of the seventh month he is granted a credit of six days each month to be taken from the time he was sentenced to serve. When he has earned seventy-two days "good time," ten days credit each month instead of the former six are granted him. Thus an inmate may, by industry and good behaviour, shorten his stay in a Canadian penitentiary seventy-two days during the first eighteen months, and at the rate of four months (120) days each year until released.

An indeterminate sentence of not more than two years less one day added to a definite sentence of not less than three months is commonly given in the Province of Ontario, and there is a system of credit with a view to shortening sentence for inmates on good behaviour at the adult reformatories and prison farms of Ontario.

Persons who are released from a penal institution because of an "expiration of sentence" or because of "an expiration of sentence less 'good time'" are considered to have paid the full penalty for the crime or misdemeanour committed. Supervision would be considered an invasion of the private rights of a free citizen. There is, therefore, absolutely no oversight or supervision, in Canada, over persons returned to



society from a penal institution by these first two methods of release.

3. BY PAROLE. (a) *Dominion Parole*. Mr. M. F. Gallagher, an officer of the Department of Justice, is in charge of the Remission Branch. The Dominion Ticket-of-Leave Act was passed in 1906 and it is under this act chiefly that executive clemency is exercised for all parts of the Dominion. Ontario is the only province that has a clemency act in addition to this Dominion Act, but the Ticket-of-Leave Act operates in Ontario as in the other provinces. Since 1899 more than 18,000 inmates of institutions have been released by the Dominion Government under some form of clemency, and of these more than 16,000 are claimed to have made good. The basis of this claim for the successful completion of the term of parole by these persons is grounded in the fact that no adverse report had been made against them by the Royal Canadian Mounted Police who supervise all inmates released under any form of clemency by the Dominion Government.

A request for a Ticket-of-Leave may be made by an inmate himself, by his friend for him, by a penitentiary or reformatory official or by anyone interested in the case. A letter is sent to the Remission Branch which at once begins the collecting of documents concerning the inmate. A form is sent to the institution where he is incarcerated, the trial judge is asked for a report, the Dominion Parole Officer, Mr. Creighton, may be called in, correspondence may be entered into with citizens of the town where the inmate lives when at large. The reports deal with his antecedents, his prospect of obtaining work, his general prospects of making good if released from custody. Mr. Gallagher goes thoroughly over these reports and recommends or refuses to recommend the case.

A favourable recommendation goes to the Governor General by way of the Department of Justice, but is returned by way of the Department of State. On release the inmate is placed under the supervision and oversight of the Royal Canadian Mounted Police.

A Ticket-of-Leave man who does not keep the conditions imposed upon him or who is convicted in the courts of a misdemeanour or crime, is returned to the institution from which he was released. There is no red tape mixed up with his return. In penitentiary cases Commissioner Starnes, of the R.C.M.P., who has already received a report from the officer under whose supervision the man is, merely notifies the penitentiary branch and a guard is sent out to bring the man in. A Ticket-of-Leave, or Dominion Parole, may be granted not only from penitentiaries but also from jails and reformatories, to offenders against Dominion law.

No suspicion has ever been cast upon the integrity of the Remission Branch of the Department of Justice or upon any of its officers.

(b) *Ontario Provincial Parole.* The members of the Ontario Board of Parole serve without remuneration and are representative citizens from different parts of the Province. The Secretary of the Board, a salaried officer, is Dr. A. E. Lavell, who has an office in the Parliament Buildings at Toronto.

The original Parole Act carries the date of 1910, but the effective legislation dates from the years 1916 and 1917. The key to the working of the system is the "indeterminate sentence." While an inmate's definite sentence is running, he is in the full charge of the officer in control of the institution in which he is incarcerated. Once his definite sentence is completed and his indeterminate sentence commences, his release depends upon the Ontario Board of Parole. This Board is appointed by the Lieutenant-Governor-in-Council and has very arbitrary powers. It is responsible to two persons only, the Minister of Justice of Canada and the Lieutenant-Governor in Council, of Ontario, but these authorities, on their own recommendation and by specific enactment of legislatures, have bound themselves neither to change nor to control the decisions of the Board. Offenders against the Federal Criminal Code are chiefly dealt with. Inmates of Kingston penitentiary are not under the jurisdiction of the Ontario Board of Parole.

The Board initiates its own investigations and a file is prepared for each inmate of Ontario institutions, except those with very short definite sentences. Where no indeterminate sentence has been added, a case is frequently recommended to the Dominion Remission Branch for a Ticket-of-Leave. The Ontario Extra-mural Employment System enables the Board to release certain other persons to whose cases that system of release is better suited.

The procedure in each case is so well described by Dr. Lavell in his 1925 report that it is quoted at length :

"Shortly after transfer to an industrial farm or reformatory, an official report concerning each prisoner comes to our office. As complete an investigation as is possible is then made by our staff of the offender's personal record, family history and all other facts which would shed light on his character, the circumstances of his crime and its cause. A report is received from the trial judge or magistrate and also from the custodian. The offender is in due course given the opportunity of appearing personally before the Board (a quorum) and converses with it. The personal interview is most valuable and a decision is rarely reached without it. His full file, with all documents and facts, is also before the Board. In giving judgment we keep in view the limitations which are placed upon us by law and the rights and interest of the offender and the public. The difficulties are such as to make absolute justice difficult, but our efforts are directed to approximate to this as closely as possible. . . . Sometimes action is taken only after repeated interviews with the offender. . . . No ulterior influences are allowed to operate and we endeavour to be governed neither by vindictiveness on the one hand nor sentimentality on the other. Each year's experience gives us better basis for judgment."<sup>5</sup>

"No one is paroled except to go to definite employment. . . . We know of no parole system that demands a closer adherence to regulations than does that of

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<sup>5</sup>*Report of the Ontario Board of Parole, 1925, p. 10.*

this Province. . . . We are confident that this policy of strictness is sound. . . . It is for this reason that some have been returned to complete their full terms in prison and others have been prosecuted under section 185 of the Criminal Code and received additional sentences. . . . It is no kindness to any offender who is given a chance on parole to give him cause to think that a breach of instructions by him is a trivial matter.”<sup>6</sup>

In an interview, the Executive Officer of the Parole Board stated that he favoured a Clearing House for the Province at which centre the Board should sit to review cases on the advice of technicians. This Clearing House would be a clinic in the best sense of that word with a psychologist, psychiatrist and neurologist attached. Dr. Lavell reiterates that the “experts” for his ideal clinic should be “shrewd judges of human nature,” and should be attached in an “advisory capacity.”

During the year ending October 31, 1925, the Ontario Parole Board considered 1,347 cases, of which 113 were women, and of which slightly less than a third were paroled, which represents a normal year's activity. The Board admitted in its annual report<sup>7</sup> that 14.7 per cent. of those released in 1925 did not make good. This means that they disappeared (25 persons), or were arrested (41 persons), or were returned to custody because an adverse report had been received from the local deputy custodian responsible for their good behaviour.

4. BY EXTRA-MURAL EMPLOYMENT. Extra-mural employment is confined to Ontario, and Dr. A. E. Lavell, Chief Parole Officer of the province, is Commissioner for the Extra-mural Employment of Sentenced Persons. The system has been in active vogue since 1920 and is frankly an experiment in rehabilitation. Writes the Commissioner:<sup>8</sup>

“The object, as I have already stated, was to find

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<sup>6</sup>*Ibid.*, p. 7.

<sup>7</sup>*Ibid.*, p. 7.

<sup>8</sup>*Fifth Annual Report of the Commissioner for the Extra-mural Employment of Sentenced Persons, 1925, p. 7.*

out whether prisoners, without changing their status in any way but merely the environment, could, without imperilling custody, be employed outside an institution to the advantage of the prisoner, the family and the public.

"One all-important point should, I think, be made clear at the outset. The Extra-mural Permit System is neither legal nor executive clemency nor is it parole. It does not lessen any sentence of a court. It is essentially and wholly a plan for the placing of a convicted person at work outside instead of inside the bounds of an institution, in proper custody under conditions which are deemed to be in the common interest of himself, his family and of the Province."

The "General Form of Instructions to Prisoners Placed Outside on Permit" contains seven clauses of instructions and regulations. The man to whom the permit is granted must place his signature at the bottom of the sheet, to the effect that he has read and understood these instructions. They advise him that he is still on the books of the institution to which he has been committed, that he must answer to his local "deputy custodian" for his behaviour, that he cannot leave the municipality, that he must sleep in a specific place and be in it by a specific time, etc.

The place where he sleeps is sometimes the local jail, but it may be his own home on a sort of "confinement to barracks" system. The latest hour at which he may be outside this specified place is normally 8 p.m. All wages earned go to the man himself, or his dependents, but he must bear the cost of food and lodging out of his earnings; thus there is no exploitation of prison labour as in the various "lease" systems.

According to Dominion law,<sup>9</sup> the only way an inmate may be given employment beyond the walls of an institution is on an order of the Lieutenant-Governor-in-Council. It is through this machinery that the "work permit" system must be handled. A Commissioner acts as Deputy for the Council in this particular. Two acts cover the situation, the Provincial Act for the

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<sup>9</sup>See *Revised Statutes of Canada, 1916*, Chapter 148.

Extra-mural Employment of Sentenced Persons and the Dominion Prisons and Reformatories Act. Provincial law offenders are granted permits under the former and Dominion law offenders under the latter. There is no thought that the commissioner is a court of criminal appeal, since no sentence is changed, but the decision of the commissioner resembles that of a judge and may seem even more arbitrary to the inmate refused a permit. The following procedure takes the place of precedents:

1. The prisoner has to be personally sized up, his record investigated, his attitude and probable reliability determined and also his ability and mentality.

2. It has to be decided whether, however erroneously, the public or those interested might with any reasonable grounds interpret the granting of a permit as legal clemency or a condoning of the offence, to the injury of the administration of justice.

3. The family conditions have to be known and properly estimated in relation to the prisoner.

4. Specific employment has to be arranged in conformity with the law.

5. Some local responsible and willing party has to be secured who will undertake his strict custody, acting on behalf of the commissioner.

6. Specific instructions in the case of each prisoner have to be decided upon, which will reasonably ensure the adequate carrying out of the sentence of the court and will serve the interest of all concerned.<sup>10</sup>

Deputy custodians are judges, magistrates, police, clergymen, salvation army officers and other responsible citizens. No action is taken in the case of offenders against the Ontario Temperance Act without consultation with the Board of License Commissioners, and no inmate is ever sent back to a community to work against the veto of the local Chief of Police.

Statistics are frequently illuminating. During the five-year period ending October 31, 1925, 1,149 inmates were granted permits, of whom forty-nine disappeared

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<sup>10</sup>*Report of the Commissioner for the Extramural Employment of Sentenced Persons, 1925, p. 8.*

or broke the law, 4.3 per cent. who failed to fulfil their contract when released to work. Thirty-three of these were recaptured, leaving 1.4 per cent. who successfully flouted the law. The aggregate of days served outside institutions was 101,739 and the wages earned were approximately \$245,000, the cost of operation being about \$4,000. Since the cost of upkeep of an inmate in an institution is slightly over \$1.10 per day and since the cost of those placed at work outside was slightly less than four cents a day, the Province has evidently saved by this experiment about \$100,000 during the five-year period.

### SUMMARY

Practically three-quarters of all persons sentenced by Canadian courts are given the option of a fine, but more than three times as many persons are committed to Canadian jails in default of the payment of a fine as for all other causes combined. Approximately one-fifth of all sentenced persons are placed on some form of probation. The Canadian jail population turnover for a typical year was 1,602 per cent. in contrast with a penitentiary turnover of thirty-seven per cent.

There are four chief ways in which inmates of penal institutions are returned to society in Canada, namely, by expiration of sentence, by expiration of sentence less "good time," by parole, and by extra-mural employment. It is the exception rather than the rule for an inmate to serve out his full sentence and to be returned to society by the first of these methods.

Inmates placed on parole or released to engage in extra-mural employment are very carefully supervised, but those whose sentences have expired receive no supervision even in those cases where a sentence has been shortened on account of good behaviour.

**CHAPTER V**  
**SUMMARY AND CONCLUSIONS**



"A prison official must be able to withstand not only the grosser forms of bribery, but also the insinuating influence of flattery. The faculties of leadership and self-control are important. To take over a gang of from twenty to thirty men of different nationalities and temperaments, keep them steadily at work, guard against escapes and violations of the prison rules, be prepared at any moment to endanger one's life or ready to grapple with a refractory prisoner, and yet bring these men back at evening closing a little better for having been under one's supervision, demands high qualities not only of manhood but also of physique."

H. W. Cooper, Warden, British Columbia Penitentiary, *Annual Report*, 1926.

## CHAPTER V

### SUMMARY AND CONCLUSIONS

In searching out principles for the sound administration of penal institutions it was stated in Chapter I<sup>1</sup> that authorities were agreed in demanding scientific observation, scientific sorting, and scientific treatment for inmates within any institution which aimed to meet standards set up in England, in the United States, and by the International Prison Congress.

Scientific observation was understood to mean observation by competent medical officers and other specialists who had available the necessary services. Scientific sorting was understood to mean the keeping of an accurate record of all known facts concerning each inmate and the segregation of inmates according to kind on the basis of known fact. Scientific treatment was understood to imply the selection of a staff of competent and worthy persons to have oversight of penal and reformative institutions, care for the physical and mental well-being of the inmates of such institutions, and the reformation, in so far as that was possible, of the persons committed to such institutions.

The question which must now be asked and answered is, "To what extent do Canadian penitentiaries, Canadian institutions for juveniles, Canadian industrial farms, and Canadian jails meet these standards?"

#### *A. THE PENITENTIARY BRANCH OF THE DEPARTMENT OF JUSTICE*

The principle of scientific observation of persons committed to Canadian penitentiaries is advocated by those in control of these institutions. It is likewise in harmony with Canadian penitentiary traditions. In the working out of the principle in practical pro-

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<sup>1</sup>See Chapter I, Section B above for complete details concerning these principles and standards.

grammes, however, two differing developments are to be noted. So far as scientific medical and surgical observation is concerned, theory and desire have found expression in the establishment of up-to-date services manned by competent persons. On the other hand a psychological and social clinic such as that suggested by the Ninth International Prison Congress<sup>2</sup> is to be found in no Canadian penitentiary.<sup>3</sup>

The principle of scientific sorting is likewise conceded in the Canadian penitentiary service. A careful record of each inmate is kept at the penitentiary in which he is incarcerated and a copy of certain parts of this record is sent to the Dominion Criminal Identification Bureau at Ottawa.<sup>4</sup> This record does not, however, contain accurate psychological and social facts concerning an inmate, since no machinery has been set up in Canada for the obtaining of such facts. Nor is there any attempt to classify inmates on the basis of known fact.<sup>5</sup>

The obtaining of a worthy and competent staff has long been a major objective with those in charge of the Penitentiary Service in Canada.<sup>6</sup> The chief handicap of the Service in the building up of a superior staff has been the wage scale.<sup>7</sup>

The physical and mental well-being of the inmates of Canadian penitentiaries is given careful consideration. The great stone buildings that constitute a number of the penitentiary plants have been constructed on mediæval architectural models, but renovation is the order of the day in the Penitentiary Service and in spite of the fact that the Superintendent

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<sup>2</sup>"Ninth International Prison Congress," *Journal of Criminal Law and Criminology*, XVI, No. 4, February, 1926, p. 606. See also above, Chapter I, B.

<sup>3</sup>The present Superintendent of Penitentiaries as early as 1919 recommended the installation of such services. See report of that year, also, *supra*, Chapter II, B.

<sup>4</sup>This Bureau is under the Royal Canadian Mounted Police and aims to keep a record of all persons committing criminal acts in Canada.

<sup>5</sup>The present Superintendent of Penitentiaries recommended such segregation in his report of 1918 and has been insisting upon it in each annual report to the Canadian Government since that date.

<sup>6</sup>Chapter I, A, *supra*, also Chapter II, B.

<sup>7</sup>See any report of the Canadian Superintendent of Penitentiaries for wage scales. The lowest salary paid in any penitentiary in the year 1927, was \$1,080; the highest, \$3,420.

has contended that new buildings are easier to build than are old buildings to reconstruct, antiquated cell blocks are being continually pulled down that more modern ones may be put up in their places. Nor must one overlook the fact that the majority of penitentiary cells have modern plumbing, are well furnished and kept spotless both as to bedding and furniture, and as to floor and walls. The cleanliness of an individual cell is reflected in the kitchen and throughout the whole penitentiary.<sup>8</sup>

The library has been highly praised, and justly. Jack Black says of the penitentiary at New Westminster,

"The prison had a splendid library—not a worthless book in it."<sup>9</sup> This is bound to be the opinion of any one who goes carefully over the volumes at the disposal of the inmates of a Canadian penitentiary.

Penitentiary schools are likewise a creditable achievement, especially when one considers the number of prisons throughout the world that have no schools of any kind.

The religious services and the opportunities for conferences with chaplains and other clergymen which are given the inmates should also be mentioned.

Vocational training in Canadian penitentiaries is exceptionally thorough, and industrial instructors are very carefully chosen. "For example, the blacksmith instructor is required to know not only general iron working and anvil work, but also farriery, sheet metal work, acetylene welding, machine shop practice, and to be able to read blue prints."<sup>10</sup>

The hospital service in Canadian penitentiaries is worthy of emulation by Provincial institutions and is bound to impress any observer favourably.

Penitentiary officials recognize the importance of wholesome meals and endeavour to vary the menu from day to day. Some may regard it as coddling prisoners even to suggest that they be fed

<sup>8</sup>Probably one should mention specifically pyjamas and carpet slippers in connection with the furnishings of an individual cell.

<sup>9</sup>Black, Jack, *op. cit.*, p. 274.

<sup>10</sup>*Report of the Superintendent of Penitentiaries, 1926*, p. 32.

decently, but the stewards of Canadian penitentiaries have no such belief. The writer is even hopeful that the near future will see a well-trained dietitian attached to the staff of the Superintendent of Penitentiaries.

In these detailed ways does the Canadian Penitentiary Service aim to care for the physical and mental well-being of its wards. Such policies and programmes, in spite of certain criticisms that might very well be made of details in the working out of them,<sup>11</sup> in addition to caring for physical and mental well-being, make for the reformation of inmates and are in harmony with the standards set down earlier in this volume. A few quotations from other observers will add weight to this conclusion.

"The place was clean and well ventilated. We had coarse, warm clothing, enough blankets, plenty of light, lots of good books, and nothing to distract us when reading. I never saw a bug, flea or mosquito while there. The guards were not brutal or overbearing. I never saw one strike a prisoner; I never saw a prisoner strike a guard."<sup>12</sup>

"When I shall write 'Finis' to this I know not . . . but when I do leave I can honestly say, without fear or favour, that this prison to-day is one hundred per cent. better than what it was when I entered it nearly nine years ago. After doubt and confusion have been brought certainty and order; out of darkness and shadow have issued sunlight and substance; out of the mud and mire of the dark ages, where deceit, sneakism and hypocrisy went hand in hand, is rising manliness, straightforwardness and honesty. Education is taking the place of ignorance. Cleanliness of mind and body instead of immorality and filth.

Neither priest nor minister is bringing about this change, but the heads of the penitentiaries, who by their sympathy, sincerity and understanding of those unfortunates who are passing through the flames, are

<sup>11</sup>The inferior housing at St. Vincent de Paul penitentiary; the unusual method used in cataloguing books in penitentiary libraries; the heavy teaching load of penitentiary school masters; the low wages paid to vocational instructors; etc.

<sup>12</sup>Black, Jack, *op. cit.*, p. 272.

trying to lead them on the right road by better conditions and through the key to all reformation—education.”<sup>13</sup>

“When I came to prison I did not know anything. I was never given a chance, never was at school, could neither read nor write. I was not fitted for anything. I am going home with a fair education; am an expert blacksmith, and also a good shoemaker, having been taught both these trades in the penitentiary. I would not take fifteen thousand dollars for what has been done for me while serving my sentence.”<sup>14</sup>

C. F. Neelands, superintendent of the Ontario reformatory at Guelph, writes:

“I realize to some extent the great difficulties which you have met and overcome, and those which you are now striving to overcome, and I must say that of all the institutions which I have visited in recent years, the one at Kingston is the best prison, and the most efficiently operated.”<sup>15</sup>

Dr. A. E. Lavell, Chief Parole Officer for the Province of Ontario, whose father was for some time warden at Kingston, goes on record:

“I was delighted to see how the penitentiary at Kingston has come on since my last visit. I never saw it in such efficient shape as now. It has been improved, I think, in every respect. As I passed through it the other day, my memory went back many times to the place as it was when I first saw it, forty-five years ago, and the contrast was very startling.

“We saw nothing in Ohio, New York or New Jersey that was fit to put in the same class with the penitentiary at Kingston and the Ontario Reformatory at Guelph.”<sup>16</sup>

“No American with any knowledge of the situation in American prisons could fail to see, if he went to Canada, that the penitentiary authorities there are doing more to make penitentiaries count for something

<sup>13</sup>Statement of inmate on file in the Superintendent's Office.

<sup>14</sup>See preceding note.

<sup>15</sup>Letter of Superintendent Neelands on file in office of Superintendent Hughes.

<sup>16</sup>Letter of Dr. Lavell, on file at office of Superintendent.

and perform their mission properly and profitably, both for society and the inmates, than we are doing in most of our American institutions."<sup>17</sup>

## B. PROVINCIAL INSTITUTIONS FOR THE INCARCERATION AND TREATMENT OF LAW-BREAKERS

1. THE CANADIAN PROGRAMME FOR JUVENILES. Thinking groups in Canada, such as the editorial staff of the official organ of the Social Service Council of Canada and the Canadian Association of Social Workers and the members of the Canadian Council on Child Welfare, are awake to the need of a scientific programme for the treatment of juvenile delinquents. A careful survey of juvenile courts and juvenile institutions would, however, in the opinion of the Secretary of the Big Brother Movement, Toronto, show a wide gap between enlightened theory and actual practice in the treatment of juvenile delinquents in Canada. Two Canadian juvenile institutions approach the standards set up in Chapter One, and full details concerning one of these has been given in Chapter Three.<sup>18</sup> Observation at this institution is not only by competent medical officers, but also by experts in psychology. Accurate records are kept, and scientific sorting of inmates takes place both within the institution itself and as between this institution and the other juvenile institutions of the Province of Ontario.<sup>19</sup> The staff has been selected with care, and the physical and mental well-being of the "pupils" is well looked after.<sup>20</sup> The fundamental aim of those who organized the Training School at Bowmanville was the building up of an institution whose chief objective should be

<sup>17</sup>Shepherd, W. G., *Colliers*, LXXIX, No. 9, February, 1927, p. 8.

<sup>18</sup>The Boys' Training School at Bowmanville, Ontario. The other institution is The Boys' Farm and Training School, Shawbridge, Quebec.

<sup>19</sup>Note the merit mark system and the fact that boys who have an intelligence quotient of less than eighty or who are especially vicious are not admitted.

<sup>20</sup>Note the programme outlined above which includes good housing on the cottage plan, superior food eaten on the "family" plan, cultural and vocational training, merit marks and training in religion and citizenship. See Chapter III, A, 2.

the turning of its wards back into society as good and worthy citizens.<sup>21</sup>

2. **PROVINCIAL INDUSTRIAL FARMS.** A detailed comparison of Canadian penitentiaries and Canadian industrial farms would show them to be similar as far as programmes for the scientific observation and the scientific sorting of inmates are concerned. In each case the medical and surgical clinics are of standard quality, and the records kept concerning inmates are complete to the extent that services are available for fact-finding. In each case, likewise, a psychological-social clinic is lacking, and segregation of inmates on the basis of known fact is not attempted.

The housing features of industrial farms differ from those of penitentiaries in that such cell blocks as are found at industrial farms are usually located along the side of the building in which they have been constructed.<sup>22</sup>

This arrangement guarantees that light will shine directly into each cell and is in harmony with the most acceptable practice throughout the world. Since penitentiaries have not this feature they must be regarded as inferior in this respect. The majority of Canadian industrial farms have, however, dormitories as well as cell blocks, but a number of them have only dormitories. On account of the opportunity which such an arrangement gives for the indiscriminate contact of prisoner with prisoner, this system must be regarded as inferior to the individual cell system found in each of the six penitentiaries.

A sufficient quantity of wholesome food is to be had at an institution of either type, so that any difference in dietaries must be found in the selection, in the cooking, and in the serving of meals. The selection and the cooking strike an observer, when he has taken all the factors into consideration, as of equal quality. In

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<sup>21</sup>The other institutions listed in Appendix III are not believed to approach as closely to the standards set down in Chapter One, as do the two listed above (Note 18). This conclusion is based partly on observation and partly on statements made by persons interviewed.

<sup>22</sup>The industrial farm at Prince Albert has the penitentiary type of cell block, as have some of the other institutions classed as industrial farms.



the serving of meals, however, a basic difference between the two types of institutions is noted. Penitentiary inmates without exception eat their meals alone in their cells; the inmates of industrial farms commonly eat in groups in dining halls.<sup>23</sup> Any conclusion with regard to the superiority or the inferiority of a given institution will be determined by one's attitude towards the effect produced by meals eaten alone or in groups.

In those features which are definitely reformatory Canadian penitentiaries are superior to Canadian industrial farms. The staffs of penitentiaries are superior to the staffs of industrial farms both as to length of service and as to training. The reformatory programme of those in charge of penitentiaries is likewise superior. The officials at eight of the nine Canadian industrial farms aim to make their institutions successfully conducted farms: simply that and nothing more. The officials at the Ontario reformatory have added certain industrial features, but there is not a single industrial farm in Canada at which is to be found a director of industries,<sup>24</sup> a school teacher,<sup>25</sup> or a full-time chaplain. On the other hand, such officers as these have been active in the Penitentiary Service since before Confederation (1867). Nor do the inmates of industrial farms have available a library of books of superior quality such as is at the service of persons incarcerated in penitentiaries.<sup>26</sup>

It is thus seen that in contrast with Canadian penitentiaries, Canadian industrial farms do not make a very creditable showing.<sup>27</sup> It is to be remembered, however, that inmates of industrial farms carry a maximum sentence of two years less one day, while

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<sup>23</sup>Some industrial farms serve meals in the cells as at the penitentiaries.

<sup>24</sup>The plan of organization at the Ontario Reformatory calls for a director of industries, but one has never been appointed. The Penitentiary Service has not only local directors, but an inspector attached to the staff of the Superintendent.

<sup>25</sup>The short period of incarceration is regarded as too serious a handicap to be overcome in the setting up of an educational programme. It should be remembered that the college year is of eight months' duration or less.

<sup>26</sup>*Supra*, Chapter II, C.

<sup>27</sup>The Canadian penitentiaries have already been considered in the light of the standards set down in Chapter I, B.

persons sentenced to a penitentiary must be sent there for at least two years. A number of those found in the latter institutions have been sentenced for the duration of their lives. The slower turnover of the penitentiary population is bound to encourage a more stable administrative policy and to give added opportunity for the checking up on programmes of reformation.

It is in contrast with the Canadian jails that the valuable features in the industrial farm programme stand out. They are seen to be: steady employment at useful work in the open air, with wages paid for work well done and with an opportunity to earn liberty through good conduct.

3. LOCAL JAILS. It may seem unfair, on account of their rapid population turnover, to judge Canadian jails by the same standards as are set up for penitentiaries and industrial farms. Some standards must, however, be set up for them. If they are to be made socializing institutions, it will be difficult to keep out of their programmes a number of features found in the programmes of penitentiaries and industrial farms. Under such a system of organization as that recommended by Dr. A. E. Lavell for Ontario,<sup>28</sup> many of the standards set up for these other institutions could be met.

As at present organized, however, Canadian jails must be ranked far below other types of Canadian prisons. Persons sentenced to them are examined on admission by neither physicians<sup>29</sup> nor psychologists. Records have little scientific value.<sup>30</sup> Inmates are not segregated according to kind on the basis of known fact, and facilities are lacking for such segregation.<sup>31</sup>

Staffs are without training at the time of appointment and obtain their positions under a system of political patronage. No trade instructor, or school teacher, or chaplain has ever been appointed to the staff of a Canadian jail, and the jail surgeon is commonly paid on the basis of the number of visits made during a given year.

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<sup>28</sup>Lavell, *op. cit.*, Appendix F.

<sup>29</sup>Comes at call of jailer.

<sup>30</sup>No card system at Kingston.

<sup>31</sup>Very careful segregation of males from females.

Few jails have facilities for employment of any kind in addition to the routine cleaning of cells and corridors. Facilities for obtaining a supply of reading matter of any kind are also lacking.<sup>32</sup> In fact there seem to be but two statements in praise of Canadian jails that can be made, the first of which is that they are spotlessly clean; the second that few persons escape from within their walls.

### C. RETURNING CONVICTED PERSONS TO SOCIETY

The principle of after-care is endorsed in Canada as well as the principle of another chance for the first offender, and programmes in support of these principles have been built up. Misdemeanants sentenced to a short term of imprisonment have commonly been given the option of a fine, and the tendency of judges and magistrates to release sentenced persons under a system of probation has been on the increase, especially in recent years.<sup>33</sup> No system of fines on the instalment plan has been inaugurated, however, and it is feared that Canada suffers from a shortage of probation officers.<sup>34</sup>

The Dominion Ticket-of-Leave Act, as applied by the Remission Branch, has come in for some criticism. It is contended that unworthy recidivists are sometimes released while worthy first offenders are frequently passed over. This is to be expected with an organization that lacks well-trained field workers and that does its work chiefly from an office desk. Closer co-operation with the Dominion parole officer or the use of field workers of its own would meet this criticism and would place the parole programme of the Canadian Department of Justice in a class with the more outstanding developments throughout the world.

The Province of Ontario took a notable step when

<sup>32</sup>See Fishman, *op. cit.*, for an evaluation of jails in the United States.

<sup>33</sup>*Supra*, Chapter IV, A.

<sup>34</sup>The case load recommended by the Minnesota State Board of Control is thirty persons per probation officer, according to Mrs. Blanche La Du. Dr. A. E. Lavell and his co-workers in the Ontario Parole Office carry a case load of approximately 250 persons each.

it inaugurated its own system of parole to supplement that of the Dominion Government.

No one has the data from which to evaluate the reformatory results of this work, for no one has made a careful scientific study of the cases that have supposedly made good under the systems of early release in vogue in Ontario through Dr. Lavell's office. Such a study<sup>35</sup> as that made by the State Charities Aid Association of New York, under the direction of Sophie Van Senden Theis, of the results of child placing in foster homes should be undertaken by some department of the Ontario government on the results of early release from the penal institutions of the Province.

The Ontario Extra-mural Employment System would seem to represent a reaction against the institutionalization of reformatory adult offenders, even though it does take place after a definite sentence ordered by the court has been completed, much as child placing in private homes has come as a reaction to the institutionalization of slightly maladjusted children. This feature of the Ontario system merits the careful study of forward-looking penologists.<sup>36</sup>

The practice of permitting an inmate, through good behaviour and satisfactory labour, to reduce his sentence is one of the greatest boons that has come to either inmate or prison official, since it enables the worthy inmate to shorten his term of incarceration and permits the prison official to substitute the cancellation of earned "good time" for other more atrocious disciplinary methods. The use of the indeterminate sentence is also to be strongly endorsed as an effective reformatory agency. Both are in harmony with the standards set down in Chapter One, and both are coming to be largely used in Canada.

#### D. STRENGTH AND WEAKNESSES OF THE CANADIAN PENAL SYSTEM

What should be said as a final word? Standards have been set up, and Canadian penal institutions and Canadian programmes for the rehabilitation of those

<sup>35</sup>Theis, Sophie Van Senden, *State Charities Aid Association of New York, Publication No. 165, 1924.*

<sup>36</sup>*Supra*, Chapter IV, B. 4; also Lavell, *op. cit.*, pp. 85-93.

who have broken the law have been described in detail. Both institutions and programmes of rehabilitation have been evaluated in the light of the standards set up. Wherein, briefly, lies the strength of the Canadian system and what are some of its outstanding weaknesses?

The strength of the Canadian system undoubtedly lies in the following six factors: the quality of the officers who are retained for long periods in the various services; the excellent traditions upon which the different types of institutions are built up<sup>37</sup>; the building programmes authorized and supported by Dominion and Provincial Governments; a discrimination which sends one man to a jail, another to an industrial farm, a third to a penitentiary, a fourth to a mental hospital, and a fifth to the gallows<sup>38</sup>; and, finally, a policy of experimentation which encourages evolution rather than revolution within a given service.

The first outstanding weakness of the Canadian system is the tendency of the Dominion and of Provincial Governments to regard safe and sanitary buildings as the end of, rather than as the beginning of, a sound penal programme; the second is the lack of facilities for the training of guards, wardens, etc.<sup>39</sup>; the third, the failure of those in charge of industrial farms to care for the mental well-being of their wards; the fourth, the existence of the county jail system<sup>40</sup>; the fifth, the heavy case load of those who supervise persons on probation or parole; and the sixth, the absence of studies aiming to show the results achieved by the Canadian penal system.

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<sup>37</sup>Vocational and educational for penitentiaries, open air for industrial farms, safe keeping for jails.

<sup>38</sup>The aim is to send the least anti-social to the jail and the most anti-social to the penitentiary.

<sup>39</sup>Superintendent Hughes has been advocating training for penitentiary officers since 1918.

<sup>40</sup>See Lavell, *op. cit.*, pp. 123-125, for carefully thought out penal programme for the Province of Ontario to take the place of the present county jail system.

## APPENDIX I

### THE CARE OF THE SICK IN CANADIAN PENAL INSTITUTIONS

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It is an often repeated and universally accepted axiom that every man, woman, and child when ill, regardless of race, colour, creed, or social status, is entitled to the best medical and hospital care known to scientific medicine. This is a community and national responsibility which cannot be discharged in a discriminating manner. To be prepared to administer to the needs of the sick and suffering should be a universal obligation of society and part of the social set-up of every community. Even in the bitter war this principle was accepted by friend and foe alike.

The prisoner—the unfortunate ward of society—must be accorded the best care possible when ill. No prison or custodial institution of any size should exist without an efficient medical service, having due regard for the prevention and cure of disease through the application of the most modern means of applied science of medicine. To this end the writer has been invited to contribute a brief chapter on the subject of the care of the sick in Canadian prisons. In doing so, principles only, of universal application, will be submitted, as time and space do not permit complete details for a plan to provide the prisoner with the right kind of service when ill.

Canada, with its great institutions, cultured Anglo-Saxon people and advanced state of civilization, must be ever mindful of its obligations to the less fortunate members of society—that small minority of its citizens

who have failed to reach or maintain the plane of citizenship required at all times. Canada has never shirked its duty towards suffering humanity and in this the writer feels assured there is a strong appeal to accept the principles advocated.

Illness is an unnecessary wastage. It is economically unsound in all walks of life, even in the case of the non-producer. Every community must be in a position to prevent this human wastage. The prison—a little world or community of its own, has a similar responsibility to discharge, for the prisoner must be kept a producer. In no better way can those charged with the responsibility of administration of prisons in Canada improve the care of the sick in these institutions than through a well-organized medical service, including hospital and dispensary facilities in accordance with the present day well-tried standards based on good service to the patient.

Increasing attention is being given the world over to the prevention and more scientific treatment of disease. Most striking advances have been accomplished in the last few years through greatly improved methods of diagnosis and treatment. To-day a well-trained doctor has little or no excuse for inaccurate diagnosis or inefficient work if he properly uses the numerous and various diagnostic and therapeutic aids at his disposal. He now has every possible assistance through well-trained personnel and efficient equipment and facilities to supplement his natural abilities and talents in caring for his patient.

There are few, if any, prisons where the medical service is on a properly organized basis. Few have their own complete medical service. This is essential in a large institution particularly. The writer, having at his disposal much first-hand information regarding the care of the sick, fully believes that the time has come when this should be put on a proper standardized basis, in accordance with what has taken place generally in hospitals during recent years through the influence of the hospital standardization movement.

Just about ten years ago a most successful movement for hospital service was launched simultaneously

in Canada and the United States. This is now known as Hospital Standardization. A minimum standard, based on service to the patient, was developed and since then has been applied to hospitals. This standard consists of a number of well-tried, practical and adaptable principles conducive to the best environment for the doctor, the nurse, and the other workers to render the most efficient service possible to the patient. It has been a pronounced success, due to the fact that its principles are fundamental and based on the never-failing feature of service to the patient. At present over three thousand hospitals in Canada and the United States are interested. More than seventeen hundred of these are carrying out the requirements, and many to an advanced degree. This movement, briefly, provides for each patient: (a) an early, accurate diagnosis; (b) the application of the best treatment known to medical science; (c) the return of the patient to normal health, if at all possible, in the shortest and most comfortable manner. After all, this is what every patient is entitled to, and what those who administer such institutions are obliged to provide. In this privilege the prisoner should share equally; there can be no discrimination.

The Hospital Standardization movement has spread to many other countries. No other one factor has done so much for the improvement of hospital service in Canada and the United States. The results in Canada have been almost marvellous. In 1918, when the first official annual survey was made, there were only three hospitals, or less than two per cent., meeting the minimum standard requirements; whereas to-day in the tenth annual survey there are one hundred and twenty hospitals, or seventy-five per cent., meeting the requirements, and accordingly are approved. This alone speaks well for the movement.

A careful analysis of over fifteen thousand surveys of hospitals made during the past ten years reveals most important improvements in results in the care of the sick. A few of the more outstanding of these results or by-products are worthy of consideration:

1. There has been a lessening of the average period



of illness as shown through the general decline in the average days' stay of patients in hospitals. This has dropped from twenty to forty per thousand patients treated some twenty years ago, to twelve to fifteen at the present time. In fact, many hospitals report even a lower average. This is of importance, not only from the standpoint of actual cost of ministering to the sick, but many days are saved for increased production—and all prisoners should be producers so far as possible.

2. There has been a distinct drop in hospital death rates through the better service rendered. The old rate of forty to sixty per thousand patients treated is now dropping to thirty, twenty, and even less in many instances. This, in plain terms, means the saving of more lives through good hospital service.

3. Diagnoses and treatment generally have markedly improved during the last few years. Incompetent medical and surgical work has fallen off to a minimum. To-day there is no excuse for inefficient work.

4. The incidence of complications associated with certain diseases has dropped considerably in the past few years. This means much, not only to the shortening of illness, but for the safety of the patient as well.

The above advances in medical science and hospital treatment made in the past few years are well worth while. They are due, mainly, to better means of diagnosis, more scientific and properly supervised technique and procedures, increased number of consultations, and group study of clinical conditions. Formerly, many abdomens were opened in order to make the diagnosis, but now the splendid clinical facilities in hospitals enable the physician, the surgeon, or the specialist to make a correct diagnosis without resorting to radical procedures to secure this information. Through better organization, supervision, and procedures, results have been greatly improved. Thus hospital work is being brought to the maximum point of safety and efficiency so far as present knowledge of medical science and hospital service can be applied.

From a consideration of the hospital standardization movement a plan can be readily evolved for

placing the care of the sick in Canadian prisons on a proper basis. The writer, therefore, wishes to set up a series of minimum standards for the care of the sick in prisons. These should appeal to Canadian authorities, who, it is hoped, will insist on a similar set-up in each of the large prison hospitals at least.

In adopting the standards to follow as a guide in hospital service the Dominion authorities will only be doing their duty to the prisoner in safeguarding the health of those under their custodial care. This is their obligation to the nation they serve. If no such standards are set up they must go on without any guide in knowing whether the service being rendered is right or wrong, good or bad. If this work can be put on a proper basis in Canada, a fine criterion will be set for the rest of the world in this respect.

The following minimum standards for medical service in Canadian prisons are submitted:

### I.

That a complete medical service be provided in each prison, this to include hospital and dispensary diagnosis and treatment.

Each of the Canadian prisons should have its own complete, well-organized and efficient medical service. It is inconvenient, unsatisfactory, and not always desirable to use the local hospital facilities for the care of the sick prisoner, nor is it always economical or possible to supply guards. Not infrequently great difficulty may be encountered in securing satisfactory accommodation and the fullest measure of co-operation with the hospital management.

Through a complete medical service of the proper kind the medical officer and staff can better control the treatment of the patient, as well as having at their disposal more efficient facilities to take care of the medical service. Finally, it places the care of the patient on a proper scientific basis and greatly increases the efficiency of diagnosis and treatment. In every way it is an advantage to the prison to have its own self-contained and self-controlled medical service,

equally as good, if not better, than that which can be secured locally. Such a service should provide hospitalization and dispensary care—the former for the bed-ridden and the latter for the ambulatory type or those who would ordinarily come in the sick parade.

The smaller institutions, however, may not be able to have as complete a hospital and dispensary service as suggested above, and meet all the standards laid down herein, but they can affiliate with one of the local institutions nearby, providing it is an accredited institution. No prisoner, however, should be sent to any hospital unless it is an accredited institution or one which meets the minimum standard requirements. It is not fair to the patient to do otherwise. The accredited hospital is well known in every community and now bears the hall mark of recognition through certification of approval. There is no excuse to-day for the existence of any hospital which is not accredited or approved. Such an institution is unworthy of public confidence.

## II.

That adequate, special accommodation be provided for the care of sick inmates of prisons, with the physical arrangements such as would permit of complete segregation of this group from all others in the institution.

This requirement presupposes the setting aside of a portion of the institution, sufficient in amount and acceptable in quality, for hospital and dispensary purposes. Such accommodation should be provided in the most desirable location, free from all discomforting nuisances, and offering maximum light and air directly, with ample windows, sun parlors, and roof gardens. This is particularly important for the tuberculosis patient, of which every prison has a number. Single rooms, as far as possible, are desirable, each with bed and necessary furniture and sanitary facilities, including running water. At least a floor area of one hundred and ten square feet, and not less than eight hundred cubic feet of air space, should be provided for each patient. Direct air and light are

essential to each room. This is not always provided. In prisons visited there appears to be a tendency to place the rooms or wards down the centre in two rows, side by side, with a large corridor between each row and the wall of the building. This affords a well-lighted, airy corridor on both sides, but the rooms entirely devoid of the direct rays of the sun. It is more advisable in future construction to have a centre corridor with the rooms placed on the outside of the building—as would be done under ordinary conditions.

The hospital department and dispensary should be together, in fact, in one and the same building. It is, of course, unnecessary to state that all this must be fireproof and of modern construction in every respect. It is impossible in this presentation to submit model plans. A general outline only can be suggested.

It is recommended that when planning these two departments, provision be made for the following units:

*1. In the dispensary:*

- (a) Waiting room for ambulatory patients for dispensary diagnosis and treatment.
- (b) Office for general administration and records.
- (c) Properly equipped examining and treatment rooms in number and type as required.
- (d) Sufficient cupboard space for dressings and supplies of all kinds.
- (e) Pharmacy, X-ray, clinical laboratory, and operating room facilities—as may be shared in common by hospital and dispensary.

*2. In the hospital:*

- (a) Wards or rooms for the hospitalization of the sick.
- (b) Service or utility rooms on each floor for preparation of dressings, treatments, etc.
- (c) Sanitary and bathing facilities.
- (d) Nurses' office.
- (e) Diet kitchens for ward units.
- (f) Sufficient cupboard space for dressings and

supplies of all kinds in adequate number and properly distributed.

- (g) Pharmacy, X-ray, clinical laboratory, and operating room facilities.

It is advisable that the pharmacy, X-ray, clinical laboratory, and operating room be placed in the most convenient location for the common use of the hospital and dispensary. Possibly the lower floor of the hospital could be used for housing the dispensary and these four services, namely, the pharmacy, X-ray, clinical laboratory, and operating room. In this way better centralization of the special facilities could be provided, as well as being convenient for both departments.

Perhaps it is difficult to say what the ratio of beds to inmates should be. How does this differ from what is found in the average community? Here it is found, generally speaking, that five to seven beds per thousand population are required to meet the needs fairly well. Approximately three per cent. of the population on the average are sick daily. One out of every ten of the entire population seek hospital or institutional care annually. What factors influence sickness in the prison? A few of these are: (1) the daily incidence of sickness for some should not be so high on account of the well-regulated life provided, whereas, others may not react favourably to the close, monotonous confinement; (2) the constant preventive measures in vogue, as prophylaxis, examination, inspection, and sick parade, reduce the incidence of sickness; (3) there is naturally a tendency to hospitalize more patients as the most convenient way of dealing with many minor complaints, such as sore throat, influenza, infected finger, and other types of minor conditions not generally hospitalized in ordinary life; (4) the long term or the life prisoner group provides many types of chronic and incurable disabilities which require more or less continuous hospitalization, such as tuberculosis, cancer, cardio-renal conditions rheumatism, etc. When all these, and perhaps other factors, are taken into consideration one is almost at a loss to state positively what ratio of hospital beds

to inmates is really required. The writer, however, is just brave enough to put down his own conclusions in this regard. Based on the average sick load generally of three per cent. he would suggest three beds per hundred inmates, or thirty beds per thousand. This would take care of the various groups requiring hospitalization, such as acutely ill, chronic and incurable, observation, and segregation. This ratio would appear to be ample in handling the hospitalization and dispensary requirements.

### III.

That special accommodation and facilities be available in the hospital for the immediate and complete segregation and isolation of all cases of infectious or contagious diseases, or for conditions inimical to the safety and welfare of the inmates of the institution.

This is a most important provision. Every precaution should be taken to eliminate and keep out all types of contagion, infectious diseases, or other endangering conditions. Nevertheless, these get in sometimes, and are always a great danger to the other inmates. All prisoners on admission, of course, are examined and should be held in quarantine at least one week, or until the period of incubation of the more common infectious diseases is over. Widal's, Wassermann's, and other tests should be taken to determine whether or not they are free from certain communicable diseases. Many of these need to be segregated and possibly put under observation. A ward or section for this purpose, with its own complete facilities, is always advisable and of great advantage at times.

### IV.

That there shall be adequate and competent medical, nursing, and non-professional personnel to provide for efficient supervision, medical, nursing, and other services.

A competent full or part-time medical officer is necessary in every prison of any size. Full-time service is always much more satisfactory to all concerned. The selection of the medical officer must be carefully made. He should be outstanding in his profession and one whose ability has already been proven. This cannot be a political appointment, for the care of the patient and politics are entirely incompatible—the patient always suffering in the deal. Merit only, should determine the selection of such an officer, who has high professional attainments and commands the respect of the community, in addition to proven skill, good judgment, fine personality, and who is human in his dealings.

The medical officer in charge requires the necessary qualified assistants—the number and kind to be determined through consideration of the particular case in question.

It is advisable that each prison hospital should have a consulting staff of outstanding specialists in the community. Medicine to-day has become a very complicated science, with numerous specialties and sub-specialties. It is impossible for one person to handle the various specialties of medicine, consequently, the availability of a duly appointed and organized consulting staff will be a valuable feature to the medical officer in charge in bringing to each patient a higher type of medical service, and in fostering a better liaison between the staff of the prison and the profession of the community. Above all this, however, is the great advantage to the patient.

In addition, there is the adjunct staff required—nurses, attendants, domestics, and others concerned in the administration of the hospital and dispensary. All must be carefully selected and properly organized for an efficient set-up, with clear definition of duties, functions, relations, and responsibilities. A complete chart of organization setting forth the above is advisable. This will prevent overlapping, duplication, or omission. Orderlies and attendants should not be used for actual nursing care of the patient. This is not good practice. Male or female graduate nurses

should be used for this purpose, with the necessary quota of orderlies and attendants as an adjunct staff.

A competent woman as matron or superintendent of the hospital is most advisable. Such a person is more capable of directing the nursing and domestic activities particularly. Technicians for the clinical laboratory and X-ray are desirable, provided they are under competent medical supervision. The hospital and dispensary should, therefore, have a carefully-selected, well-organized staff—administrative, professional, nursing, technical, and domestic, as required.

## V.

That accurate and complete case records be written for all patients, and filed in an accessible manner in the hospital—a complete record including identification data; complaint; personal and family history; history of present illness; physical examination; special examinations, such as consultations, clinical laboratory, X-ray and other examinations; provisional or working diagnosis; medical or surgical treatment; gross and microscopical pathological findings; progress notes, final diagnosis; condition on discharge; follow-up; and in case of death, autopsy findings.

It seems superfluous to make a plea for complete histories in the prison hospital or dispensary, inasmuch as the inmates are the wards of the Dominion. Not only for this reason, but for the good of the patient primarily, it is essential that there should be a complete history in every instance, this embracing all the facts pertinent to the case, promptly recorded on admission of the patient to the dispensary or the hospital.

In order that all essential data be recorded, the following amplification of each component part mentioned above is set forth, as follows:

1. *Identification data*—giving name of hospital; name, address, and case number of the patient; colour, age, occupation, nationality; religion; dates of admission, operation, and discharge.



2. *Complaint*—the patient's statement of reasons (signs and symptoms) for seeking medical aid.

3. *Present illness*—an orderly story of the onset and course of the disease, beginning with date, mode of onset, and probable cause, and continuing with description of signs and symptoms of the disease or injury up to the present time.

4. *Past history*—a summary of the patient's life in its relation to pathology, illnesses with or without complications, operations, or accidents; habits, social conditions, or any data which may be related to the present condition.

5. *Family history*—such data as related to present illness; investigation of evidence of hereditary or infectious diseases.

6. *Physical examination* (not opinions but facts)—a complete detailed description by regions or systems of the doctor's actual findings as a result of a thorough examination of the patient.

7. *Special examinations*—consultations, reports of clinical laboratory, X-ray examinations, and other findings.

8. *Provisional diagnosis* (and indications for treatment)—a statement of the most plausible pathological condition to be recorded after completion of history and physical examination.

9. *Treatment, medical or surgical*—includes a record of all orders for medicine, treatments, and diets. If operated on, the preoperative diagnosis should be written before the operation begins. Give a full description of operative procedure and findings, normal and abnormal, and of all organs explored.

10. *Pathologist's report*—a full description, gross and microscopic, of tissues removed.

11. *Final diagnosis*—to be recorded when determined. Secondary and associated diagnoses should be recorded in the order of their importance.

12. *Progress notes*—an orderly story of the course of the disease, consisting of notes made each day for serious cases, of new signs and symptoms, complica-

tions, consultations, removal of drains, splints and stitches, development of infection in a clean wound, its cause and character, and all other data affecting the course of the disease.

13. *Condition on discharge*—a specific statement as to patient's condition in relation to normal health, with positive or negative evidence of persistence of any symptoms pertaining to illness, carrying with it information providing a prognosis and indications as to fitness of the patient to return to active or working capacity.

14. *Follow-up records*—concise notes made at subsequent visits of the patient or from subsequent reports as to condition of patient, to determine end results of treatment and appraise the work of the institution.

15. *Autopsies*—In case of death and post-mortem examination, a full description of autopsy findings.

Up-to-date, complete, true records of scientific value undoubtedly reflect the character of the care of the patient. A careless, minimum record usually reflects careless, minimal scientific work in diagnosis and treatment. A good record carries the necessary data to substantiate the provisional or preoperative diagnosis, to warrant the treatment, and finally, to justify the findings and end results.

Case records should be properly filed in a readily accessible manner for reference. The necessary space and filing equipment should be provided. Various methods of filing the records are used, but preference appears to be given to the envelope or folder systems, which are believed to be more practical and convenient. Each envelope or folder contains the complete data regarding the patient's illness and should have on the outside, in a readily visible location, the necessary data for identification, such as patient's name, number, etc.

To complete the system, all records should be so indexed and cross-indexed for the purpose of ready reference, as to include (a) index for identification through name and number; (b) index of diseases for

classification according to one or other of the recognized standard nomenclatures of diseases; (c) indices for associated diseases, complications, operations, causes of death; (d) a monthly analytical summary of the medical work of the hospital and dispensary. It is, therefore, hoped and urged that every prison hospital will set up a system of complete case records.

## . VI.

That diagnostic and therapeutic facilities under competent supervision be available for the study, diagnosis, and treatment of patients, these to include, at least, (a) a clinical laboratory providing chemical, bacteriological, serological, and pathological services; (b) an X-ray department, providing radiographic and fluoroscopic services.

While the doctor is well equipped with many trained human or natural resources for carrying on his professional work, yet he requires the aid of the clinical laboratory and X-ray department to assist him in making the diagnosis and confirming his findings, and to a considerable degree in treating the patient. The clinical laboratory and X-ray department are indispensable factors in the scientific practice of medicine to-day. They must have a definite place in every hospital worthy of the name. Both these departments are essential for hospital and dispensary use as part of the prison medical service.

The clinical laboratory requires adequate space, air, light, and convenient location for hospital and dispensary use. This department should provide the following services: chemical, bacteriological, serological, and pathological. When all these services are not obtainable within the hospital possibly they can be conveniently secured from an efficient, accredited laboratory outside—as would be found in an approved hospital. It is, however, advisable to secure all the services from within. If this is not possible, provision should be made within the hospital for at least the ordinary required examinations of urine, sputum, smears, and spinal fluid count, or such examinations

as are required for immediate diagnosis. The more elaborate tests embracing bacteriology, serology, and pathology may be performed outside the hospital, as suggested above.

It is most essential that the work of the clinical laboratory be under competent supervision. This is best done through a part or full-time clinical pathologist, but where such is not obtainable the work should be under the supervision of a medical officer, who has had special training and experience in this field. Technicians are most satisfactory and always desirable, but they should be under competent medical supervision at all times.

Likewise, the X-ray department is essential for scientific work. It, too, should have adequate space, light, air, and be conveniently located for the hospital and dispensary work, affording radiographic and fluoroscopic services. It is essential that this department also be under the supervision of a competent medical radiologist, part or full time as required. This is necessary, not only for the safety of the patient and the overseeing of complicated technique, but particularly for the interpretation of findings. If it is not possible to secure this service through the staff, possible arrangements can be made with a medical radiologist in the community to do this work. At any rate, the most efficient service should be obtained.

It is advisable that in both departments duplicate records of all reports be made, one to be filed in the department and the other to be attached to the patient's file as part of the history.

## VII.

That the medical staff review and analyze at regular intervals the clinical work of the hospital and dispensary, with particular attention to all conditions not conducive to the best end results and the keeping of the professional work on the highest plane of efficiency.

Better service for future patients can only be accomplished through a review and study of past

experiences. It is quite certain that the same type of patient will require hospitalization at some future time and benefit from the reviewed experience of those who have gone before. This conference, if properly conducted, becomes a group consultation, where the results and experiences of the staff are focused for the benefit of the patient. It is the pooling of individual experiences and knowledge for the benefit of all and the good of the hospital and dispensary as a whole. It is the means through which the efficiency of the hospital can be appraised.

The following is a general outline for the discussion to be carried on at these conferences:

1. Consideration of the report of work for previous month.

2. Analysis of the work:

(a) Discussion of patients discharged since last meeting, with special consideration of certain deaths, unimproved, infectious, complications, agreement of diagnoses, consultations, etc.

(b) Discussion of patients in the hospital, with special reference to those presenting intricate diagnoses, tardy convalescence, conditions inimical to the best physical welfare of patients, etc.

(c) Reports of committees on case records, diagnostic and therapeutic departments, such as the clinical laboratory, X-ray, etc.

3. Considerations and recommendations for improving the professional efficiency of the hospital and dispensary.

This is only fair to the patient, the institution, and the doctor himself. All three benefit by an honest discussion and audit of the clinical work. Individually and collectively, members of the medical staff benefit through the adding to their fund of knowledge from the pooled experiences of all. Every doctor must constantly increase his scientific efficiency; the knowledge secured in college and through subsequent internship and post-graduate study must be continuously supplemented by his experience, and in no better way can

this be done than through the staff conference, if carried on in the proper manner. The staff conference should be an effective means of interchange of scientific and clinical facts as related to the individual patient under consideration. Such a conference should be inspiring and stimulating, and always tend to keep the medical service alert and on the highest plane of efficiency.

### VIII.

That the medical service, including the hospital and dispensary, come under annual inspection through the international Hospital Standardization movement.

While all prison activities are under inspection of one kind or other, it would be advisable to have the hospital and dispensary services surveyed annually through a disinterested, independent organization. In the United States the Army, Navy, Public Health Service, and Veterans' Bureau hospitals come under the annual survey of the American College of Surgeons as part of the Hospital Standardization programme. This has been found to be a great advantage to these institutions, not only in increasing efficiency, but in establishing their status with other institutions, as well as in fostering and developing public confidence. The American College of Surgeons, through its Hospital Standardization Department, is interested in the betterment of hospital and medical services everywhere, and will gladly lend its assistance for this purpose at all times.

### CONCLUSION

The writer wishes to briefly summarize the recommendations made in this report, and trusts that they will have the serious consideration of the Dominion authorities concerned with the care and welfare of the sick prisoner. These recommendations are as follows:

1. That in every prison in Canada there shall be established a properly-organized medical service, embracing hospital and dispensary activities.

2. That where it is not possible or practical to have a complete medical service in a prison, affiliation as

required be made with accredited or approved hospitals in the community.

3. That the hospital and dispensary services meet the following minimum requirements:

- (a) That a complete medical service be provided in each prison, this to include hospital and dispensary diagnosis and treatment.
- (b) That adequate, special accommodation be provided for the care of sick inmates of prisons, with the physical arrangement such as would permit of complete segregation of this group from all others in the institution.
- (c) That special accommodation and facilities be available in the hospital for the immediate and complete segregation and isolation of all cases of infectious or contagious diseases, or for conditions inimical to the safety and welfare of the inmates of the institution.
- (d) That there shall be adequate and competent medical, nursing and non-professional personnel to provide for efficient supervision, medical, nursing, and other services.
- (e) That accurate and complete case records be written for all patients, and filed in an accessible manner in the hospital—a complete record being one which includes identification data; complaint, personal and family history; history of present illness; physical examination; special examinations, such as consultations, clinical laboratory, X-ray and other examinations, provisional or working diagnosis; medical or surgical treatment; gross and microscopical pathological findings; progress notes; final diagnosis; condition on discharge; follow-up, and, in case of death, autopsy findings.
- (f) That diagnostic and therapeutic facilities under competent supervision be available for the study, diagnosis, and treatment of patients, these to include at least (a) a clinical laboratory providing chemical, bacteriological, serological and pathological services; (b) an X-ray

department providing radiographic and fluoroscopic services.

- (g) That the medical staff review and analyze at regular intervals the clinical work of the hospital and dispensary, with particular attention to all conditions not conducive to the best end results and the keeping of the professional work on the highest plane of efficiency.
- (h) That the medical service, including the hospital and dispensary, come under annual inspection through the international Hospital Standardization movement.

The writer apologizes for this somewhat fragmentary presentation of an exceedingly important subject. It is hoped, however, that the data submitted will provide a sound basis for future thought in regard to so vital a problem as the care of the sick prisoner from the human and economic standpoints. Possibly this presentation will assist in more or less crystallizing and focusing the various viewpoints on a minimum standard for medical service—including hospital and dispensary activities—for Canadian prisons. At least, no doubt, increased interest and attention will be aroused.

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## APPENDIX II

### CANADIAN PRISONERS' WELFARE ASSOCIATION

1. OFFICERS AND DIRECTORS 1928. Honorary Presidents, Senator George P. Graham, Robert Bickerdike. President, Victor E. Mitchell, K.C., LL.D., Montreal. Honorary Vice-Presidents, Mrs. Sydney Small, Toronto, Senator Lendrum McMeans, Winnipeg. Honorary Treasurer, Charles Fyfe. Honorary Auditor, Capt. J. G. Rhys. Secretary, John Kidman, 1405 Bishop Street, Montreal, Quebec. Directors, Rev. A. E. Runnells, Mrs. D. D. McKenzie, Mrs. Nellie McClung, Mrs. Horace Parsons, Dr. D. R. Moore, Mrs. Gordon Wright, Allan L. Smith, Charles A. Mullen, Rev.



George S. Buckingham, Mrs. W. E. Nobles, Mrs. Ralph Smith, Mrs. L. C. McKinney, Mrs. Effie Bruce and A. L. Kaplansky.

2. ORGANIZATION, AIMS, AND WORK. The Canadian Prisoners' Welfare Association represents the amalgamation of two bodies, the National Prison Reform Association, and the Honour League of Canada. The former came into being in the city of Montreal in 1916 and the latter in the same city in May of the following year. The National Prison Reform Association, at the time of its formation, devoted its energies to general issues, while the Honour League of Canada took up case work with individual delinquents. There came into existence from time to time in other Canadian cities Prisoners' Aid Associations and bodies which included this work in more general programmes, but the creation of the Canadian Prisoners' Welfare Association, as an amalgamation of the National Prison Reform Association and the Honour League of Canada under Federal charter, was the first effort to deal comprehensively with the delinquency problems by a private organization in Canada.

The charter of the Association gave power to undertake any work designed for "the welfare of prisoners and their dependents," and the objects and aims of the corporation have come to be defined in the following terms:

To help the man, woman or child indicted by the law, whether in the courts, in jail, or after discharge therefrom.

To ameliorate the conditions of prisoners and the treatment of delinquents generally by the introduction of more humane principles of penology.

To abolish the death penalty throughout the Dominion of Canada.

So far as the main work of the organization is concerned, that of alleviating the lot of the individual prisoner and his dependents, and that of promoting more modern and humane methods of dispensing

justice, the Association has devoted its attention to the following aspects of penology:

Remuneration for prison labour.

The appointment of probation officers in the courts.

Provision of free legal aid for indigent accused.

Extension of the parole system and the freer use in Canada of the Suspended-Sentence Act.

Establishment in the courts of poor boxes for needy cases.

Industrialization of penal institutions.

Educational and recreative facilities in such institutions.

Segregation having regard to youth, first offence, and type of crime committed.

Relief to prisoners' dependents, and to prisoners themselves on discharge.

Intervention with authorities for release on parole in deserving cases.

Establishment of outside advisory committees for penal institutions.

Co-operation with the Howard League for Penal Reform in England in the matter of securing through the League of Nations an international charter safeguarding the elementary rights of prisoners.

The files of the Association give evidence of considerable activity in accordance with these principles and towards these objectives.

In the matter of suggesting legislative changes calculated to solve penal and criminal justice problems on modern lines, the national committee of the Association has been active. At various times deputations have gone to Ottawa to interview the Minister of Justice or the Solicitor-General on such issues as the amendment of the Juvenile Court Act, payment for prisoners, the suppression of the too free use of fire-arms and the application of the lash.

In the summer of 1927 two officers of the Association, Rev. Dr. A. E. Runnells and Mr. Charles Fyfe, made a Dominion-wide tour in the course of which they visited five of the six Canadian penitentiaries. The visitors were favourably impressed by what they

saw, and in their report thereon commented with praise on the discipline, the industry, and the personnel of these institutions.

In regard to good discipline, it was felt that this was chiefly due to the fact that men are not herded together too much, since they eat in their cells, and work on the silent system (though this is not rigorously observed).

As to industry, the "shops" system was found to be working satisfactorily, and the visitors were impressed with the high standard of workmanship seen in articles, such as clothes, carpentry, and shoes produced by the inmates. At the same time they were of the opinion that the introduction of the remunerative principle would undoubtedly stimulate the output and make the men more contented.

As to personnel, the very high type of man selected for the post of warden, and in general for all executive work in these institutions, was noted with appreciation. Since the Great War the policy of the Superintendent of Penitentiaries and of the Civil Service Commission has been to give these appointments to those who served overseas. Thus, while there is military discipline, the men who exercise it are men of education and refinement, who, for the most part, have come to their task without any prejudice as to what constitutes prison discipline.

Appreciation of the work which the Prisoners' Welfare Association is undertaking was expressed by several of these officials, and the wish was expressed that the Association could embrace the whole Dominion not only in its general, but in its individual work.

The outcome of this visit is that a strong effort is about to be launched with a view to extending the activities of the Canadian Prisoners' Welfare Association, so that it may reach for Canada the proportions reached by the American Prison Association within the United States.<sup>1</sup>

<sup>1</sup>This Appendix is based on materials submitted by the national officers of the Canadian Prisoners' Welfare Association.

## APPENDIX III

LIST OF CANADIAN INSTITUTIONS FOR  
JUVENILES

## BRITISH COLUMBIA

1. Provincial Industrial School for Boys, P.O. Box "E," Port Coquitlam, British Columbia.
2. Provincial Industrial School for Girls, Cassiar and Union Sts., Vancouver, British Columbia.

## ALBERTA

Alberta sends its juvenile delinquents to the Manitoba Industrial Training School, Portage la Prairie, Manitoba.

## SASKATCHEWAN

3. Boys' Detention Home, Regina, Saskatchewan.

## MANITOBA

4. Industrial Training School, Portage la Prairie, Manitoba.
5. Juvenile Detention Home, Sherbrook Street and Portage Ave., Winnipeg, Manitoba.

## ONTARIO

6. Victoria Industrial School for Boys, Mimico, Ontario.
7. Alexandra Industrial School for Girls, Toronto, Ontario.
8. Boys' Training School, Bowmanville, Ontario.
9. St. John's Industrial School for Boys, Toronto, Ontario.
10. St. Mary's Industrial School for Girls, Toronto, Ontario.

## QUEBEC

11. Girls' Cottage Industrial School, Sweetsburg, Quebec.
12. Boys' Farm and Training School, Shawbridge, Quebec.
13. Maison de Reforme for Boys, Montreal, Quebec.
14. Maison de Reforme for Girls, Montreal, Quebec.

15. Industrial School, Laval des Rapides, Quebec.
16. Industrial School, Levis, Quebec.
17. Industrial School for Boys, Notre Dame de Montfort, Quebec.
18. Industrial School for Girls, Quebec City, Quebec.
19. Industrial School for Girls, St. Lambert, Quebec.

#### THE MARITIME PROVINCES

20. Boys' Industrial Home, East St. John, New Brunswick.
21. St. Patrick's Home, Halifax, Nova Scotia.
22. Industrial School, Halifax, Nova Scotia.
23. Maritime Home for Girls, Truro, Nova Scotia.
24. Monastery of the Good Shepherd, Halifax, Nova Scotia.

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Carefully selected lists of both books and articles are to be found at the conclusion of the various chapters in Sutherland's *Criminology* and in Gillin's *Criminology and Penology*. Chapter Ten of Barnes' *The Repression of Crime* is devoted to "Recent Literature on Crime and Prisons" and a relatively exhaustive bibliography of current publications on "The Science of Criminology" has been appearing in *The Journal of the Institute of Criminal Law and Criminology* since May, 1927. Persons desiring a complete bibliography should consult Kuhlman, *Guide to Material on Crime and Criminal Justice*.

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# INDEX

- Administration, 17-20, 23-24.  
35, 37, 44, 53, 58, 65.
- After-care. *See* Parole.
- American College of Surgeons.  
xi, 96-99.
- American Bar Association, xi,
- Barnes, H. E., 9, 10, 11, 12, 16.
- Bates, Sanford, 2.
- Bathing, 15, 38, 46, 60, 66.
- Black, Jack, 85, 86.
- Buildings. *See* Grounds and Plant.
- Butler, Amos W., 9, 10, 11, 12.
- Canadian Council on Child Welfare, 51.
- Canadian Penal Institutions:  
historic rise, 3-8; organization, 17-20; standards, 8-17; penitentiaries, 23-48, 83-88; industrial farms, 56-63, 89-91; jails, 63-68, 91-92.
- Canadian Prisoners' Welfare Association, 113-116.
- Chisolm, B. Ogden, 70.
- Classification: of institutions, 18-20; of inmates, 12, 36, 53, 59, 65.
- Clearing-house, 11, 50.
- Clinical treatment, 10-11, 27, 51.
- Compensation, 25, 41, 60, 62, 66.
- Cooley, Edwin J., 51.
- Cooper, H. W., 82.
- Cost, 42-43, 47, 60, 66.
- Criminal identification, 84.
- Diet, 25, 26, 29, 34, 38, 46, 53-54, 60, 66.
- Discipline, 37, 45, 53, 59, 65-66.
- Doctors. *See* Health.
- Drucker, S., and Hexter., M.B., 55.
- Education, 14, 25, 41-42, 46-47, 54, 60, 66, 85, 86.
- Employment, 7, 14, 25, 39-41, 46, 54, 60, 62, 66.
- Entertainment. *See* Recreation.
- Extra-mural employment, 77-80, 93.
- Female prisoners, 20, 35, 59.
- Fines, 71.
- Fishman, J. F., 15.
- Flogging, 23, 32, 37, 45.
- Gallagher, M. F., 74.
- Gaols. *See* Jails.
- Giddings, F. H., ix.
- Gillin, J. L., 9, 10, 12, 13, 14, 17.
- Gluick, S. S., 11.
- Grounds and Plant, 33-35, 44, 52-53, 57-58, 61, 64, 67.
- Hart, H. H., 13, 14.
- Health, 37-38, 46, 53-54, 59, 66, 85, 95-113.
- Hobhouse, S., and Brockway, A. F., 9, 10, 12, 15, 16.
- Hoffman, F. L., 15.
- Hospital facilities. *See* Health.
- Hughes, W. S., 7, 8, 22, 23, 24-33.
- Illinois Parole Board, 15, 16.
- Indeterminate sentence, 73.
- Individualization of treatment, 28-29, 30, 36.
- Industrial farms; classification, 56-57; detailed treatment, Guelph, 57-61, others, 61-63; evaluation, 89-91.
- Industries, 39-40, 46, 54, 60, 66.
- Inmates; population, 36, 44-45, 53, 59, 65; classification, 36, 53, 59, 65.
- Insane, 36, 59, 65.
- Inspection, 15-16, 20.

- Jails: number and location, 63, 67; detailed treatment, Kingston, 64-66, others, 66-68; evaluation, 91-92.
- Joynson-Hicks, Sir William, 9.
- Juvenile institutions: detailed treatment, Bowmanville, 52-55, others, 55-56; evaluation, 89-91; complete list, 117-118.
- Labour. *See* Employment.
- La Du, Mrs. Blanche, 12, 13.
- Lavell, A. E., x, 50, 75, 76, 77, 87, 91, 94.
- Lewis, O. F., 12.
- Libraries, 25, 26, 31, 41, 54, 60, 64, 66, 68, 85.
- MacEachern, M. T., xi, 35, 95-113.
- National Probation Association, xi.
- National Society of Penal Information, xi, 13.
- Neelands, C. F., 58, 87.
- Officials, 35, 44, 53, 58, 65.
- Parmelee, Maurice, 9, 10, 11, 12, 16-17.
- Parole, 74-77, 92.
- Penal standards, 8-17.
- Penitentiaries: detailed treatment, Kingston, 33-44; others, 44-48; evaluation, 83-88; superintendent of. *See* Hughes.
- Pennsylvania Parole Commission, 16.
- Pensions. *See* Salaries.
- Police, 74.
- Ponsford, J. C., 33, 35.
- Prison labour. *See* Employment.
- Prisoners. *See* Inmates.
- Probation, 71.
- Punishments, 37.
- Queen, S. A., 9, 10, 11, 16.
- Reaman, G. Elmore, 53.
- Recreation, 28, 38-39, 60, 66.
- Reformation, 12.
- Reformatories. *See* Industrial Farms.
- Release: methods of, 71-80; evaluation, 92-93.
- Religious instruction, 42, 47, 54, 60, 66.
- Robinson, L. N., 9, 10, 11, 13, 14, 16.
- Rubinow, I. M., 12.
- Ruggles-Brise, Sir E., 9, 10, 11, 13, 14, 15, 16.
- Salaries, 36, 54, 58.
- Schools. *See* Education.
- Science and criminology, 10-17, 51-52.
- Segregation, 12, 31, 59, 84.
- Self-government. *See* Training in Citizenship.
- Sharpe, Frank T., 52, 55.
- Shepherd, W. G., 88.
- Smith, H. G. V., xii.
- Social Service Council of Canada, 51.
- Suspended sentence, 71.
- Sutherland, E. H., 9, 10, 11, 12, 13, 16.
- Theis, Sophie Van Senden, 93.
- Ticket-of-leave. *See* Parole.
- Training in citizenship, 28, 42, 47, 54, 60, 66.
- Tucker, R. R., 7, 26.
- Vocational training, 40.
- Wages. *See* Compensation.
- Webb, Sidney and Beatrice, 9, 10, 12.
- Whipping. *See* Flogging.
- White, W. A., 11.
- Wilcox, Clair, 16.
- Women's institutions, 20, 30, 35.

















W  
3321